



# Federal Register

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**Thursday,  
November 30, 2000**

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**Part III**

**Department of  
Agriculture**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF AGRICULTURE (USDA)**

**DEPARTMENT OF AGRICULTURE**

**Office of the Secretary**

**7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX**

**9 CFR Chs. I-IV**

**36 CFR Ch. II**

**41 CFR Ch. 4**

**Semiannual Regulatory Agenda, October 2000**

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This agenda provides summary descriptions of significant and not significant regulations being developed in agencies of the U.S. Department of Agriculture (USDA) in conformance with Executive Order

12866 "Regulatory Planning and Review." The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Public Law 96-354. This agenda also identifies regulatory actions that are being reviewed in compliance with section 610(c) of the Regulatory Flexibility Act. We invite public comment on those actions.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

For this edition of the USDA regulatory agenda, the most important

significant regulatory actions are included in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

**FOR FURTHER INFORMATION CONTACT:** For further information on any specific entry shown in this agenda, please contact the person listed for that action. Requests for copies of the agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 118-E, Jamie Whitten Building, U.S. Department of Agriculture, Washington, DC 20250, (202) 720-1272.

**Dated:** September 13, 2000.

**Jacquelyn Y. Chandler,**  
*Chief, Legislative and Regulatory and Automated Systems Staff.*

**Agricultural Marketing Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
174	National Laboratory Accreditation Program .....	0581-AB42
175	Processed Fruits and Vegetables: Qualified Through Verification (QTV) .....	0581-AB58
176	General Specifications for Dairy Plants Approved for USDA Inspection and Grading .....	0581-AB59
177	Tobacco Fees and Charges for Permissive Inspection: Fee Increase .....	0581-AB86
178	Meat Grading Regulations for Imported Livestock .....	0581-AB90

**Agricultural Marketing Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
179	National Organic Program ( <b>Reg Plan Seq. No. 1</b> ) .....	0581-AA40
180	Voluntary Shell Egg Regulations; Repackaging of Shell Eggs Under USDA's Grading Program .....	0581-AB56
181	Livestock Mandatory Reporting Act of 1999 .....	0581-AB64
182	Program to Assess Organic Certifying Agencies .....	0581-AB70
183	Tobacco Fees and Charges for Mandatory Inspection: Fee Increase .....	0581-AB87
184	Changes in Fees for Science and Technology Laboratory Service (S&T-99-008 PR) .....	0581-AB91

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

**Agricultural Marketing Service—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
185	Olive Oil Promotion, Research and Information Order .....	0581-AB62
186	Changes in Fees for Federal Grading and Certification of Livestock for Chicago Mercantile Exchange Futures Deliveries .....	0581-AB66
187	Regulations Governing the Certification of Sanitary Design and Fabrication of Equipment Used in the Slaughter, Processing, and Packaging of Livestock and Poultry Products .....	0581-AB69
188	Regulations Governing the Inspection of Eggs .....	0581-AB74
189	Honey Research, Promotion, and Consumer Information Order .....	0581-AB84

## USDA

## Agricultural Marketing Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
190	Changes in Fee for Voluntary Federal Fruits and Vegetables, Processed .....	0581-AB85
191	Voluntary Grading of Shell Eggs (PY-00-003) .....	0581-AB88

## Agricultural Marketing Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
192	Refrigeration Requirements for Shell Eggs .....	0581-AB60
193	Blueberry Research, Promotion, and Information Order .....	0581-AB61
194	Fees for Destination Market Inspection of Fresh Fruits and Vegetables and Other Products: Fee Increase .....	0581-AB63
195	The Use of High Volume Instrument (HVI) Color Grade as the Official USDA Color Grade for American Upland Cotton .....	0581-AB67
196	Supervisory Follow-Up Inspections for Fresh Fruit and Vegetable Inspection and Certification Services .....	0581-AB68
197	Revision of Plant Variety Protection Office Fees .....	0581-AB71
198	Cotton Classification Services to Growers, User Fees for 2000 Crop .....	0581-AB72
199	Amend Regulations for Tobacco Inspection .....	0581-AB75
200	Perishable Agricultural Commodities Act: Increase in License and Complaint Fees .....	0581-AB76
201	Perishable Agricultural Commodities Act: Recognizing Limited Liability Companies .....	0581-AB77
202	Blueberry Promotion, Research, and Information Order .....	0581-AB78
203	Federal Seed Testing and Certification Services, Increase in Fees .....	0581-AB80
204	Meat Grading Regulations for Imported Livestock .....	0581-AB81
205	Grade Standards and Classification for American Pima Cotton .....	0581-AB82
206	Changes in Fees for Voluntary Federal Meat Grading and Certification Services .....	0581-AB83
207	Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading (PY-00-002) .....	0581-AB89

## Farm Service Agency—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
208	Regulatory Streamlining of the Farm Service Agency's Direct Farm Loan Programs .....	0560-AF60
209	Production Flexibility Contracts for Wheat, Feed Grains, Rice, and Upland Cotton .....	0560-AF79

## Farm Service Agency—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
210	Noninsured Crop Disaster Assistance Program Regulations for the 2001 and Succeeding Crop Years .....	0560-AG20
211	Special Apple Program and Emergency Loan for Seed Producers Program .....	0560-AG23

## Farm Service Agency—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
212	Small Farmer Outreach Training and Technical Assistance Program .....	0560-AE17
213	Part 1946 Mediation; Subpart A—Agricultural Loan Mediation Program .....	0560-AE26
214	Selection and Functions of Farm Service Agency State and County Committees .....	0560-AE33
215	Amendments to the Farmer Account Servicing Policies .....	0560-AE42
216	Amendments to the Standards for Approval of Warehouse for Commodity Credit Corporation Storage Contracts ...	0560-AE50
217	Deletion of FSA Regulations Regarding Colorado River Basin Salinity Control Program .....	0560-AE54
218	Amendment to the Cotton Warehouse Regulations Regarding the Definition of "Unnecessary Delay" .....	0560-AF13

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## Farm Service Agency—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
219	Amendments to the Debt Settlement Policies and Procedures To Conform to the Debt Collection Improvement Act of 1996 .....	0560-AF22
220	Amendments to the Forage Provisions of the Noninsured Crop Disaster Assistance Program .....	0560-AF23
221	Sugar Program Information Reporting and Recordkeeping Requirements .....	0560-AF31
222	Amendment to the Farm Reconstitution Regulations .....	0560-AF36
223	Dairy Recourse Loan Program .....	0560-AF41
224	Debt Settlement for Indian Tribal Land Acquisition Loans .....	0560-AF43
225	Noninsured Crop Disaster Assistance Program Regulations for the 1998 and Succeeding Crop Years .....	0560-AF46
226	1999-Crop Marketing Quota and Price Support Level for Burley Tobacco .....	0560-AF50
227	Remove Internal Agency Provision From FSA Farm Credit Program Regulation—Liquidation of Loans Secured by Real Estate and Acquisition of Real and Chattel Property .....	0560-AF53
228	Cleaning and Reinspection of Farmers' Stock Peanuts .....	0560-AF56
229	Amendments to the Regulations Governing the Peanut Poundage Quota and Price Support Programs .....	0560-AF61
230	Small Hog Operation Payment Plan .....	0560-AF70
231	Low Documentation Loan .....	0560-AF71
232	Streamlining of the Emergency Farm Loan Program Regulations .....	0560-AF72
233	Amendments to the Conservation Reserve Program Regulations Regarding Land Eligibility .....	0560-AF77
234	Suspension of Collection of Recapture Amount for Borrowers with Certain Shared Appreciation Agreements .....	0560-AF80
235	2000-Crop Peanuts National Poundage Quota, National Average Loan Rates for Quota and Additional Peanuts and Minimum Export-Edible Sales Price for Additional Peanuts .....	0560-AF83
236	2000-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco .....	0560-AF84
237	2000-Crop Marketing Quota and Price Support Level for Burley Tobacco .....	0560-AF85
238	2000-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco .....	0560-AF86
239	Noninsured Crop Disaster Assistance Program Regulations for the 1999 and Succeeding Years .....	0560-AF90
240	Disaster Set-Aside Program .....	0560-AF91
241	Farm Storage Facility Loan Program .....	0560-AG00
242	Designation of Non-Auction Tobacco .....	0560-AG07
243	Agricultural Disaster and Market Assistance .....	0560-AG14
244	Clarification of Cash Flow Margin Requirements for Farm Service Agency Guaranteed Loans .....	0560-AG15
245	Bioenergy Program .....	0560-AG16
246	Lamb Meat Adjustment Assistance Program .....	0560-AG17
247	2000-Crop Agricultural Disaster and Market Assistance .....	0560-AG18
248	Market Assistance for Tobacco, Wool and Mohair, and Cottonseed .....	0560-AG19
249	Amendments to the Tobacco Program Regulations .....	0560-AG21
250	2001 Grazing Loan Deficiency Payments .....	0560-AG22
251	Handling Payments from the Farm Service Agency to Delinquent Farm Credit Program Borrowers .....	0560-AG24
252	Northeast Interstate Dairy Compact .....	0560-AG25
253	Emergency Conservation Program .....	0560-AG26
254	Sugar Payment-In-Kind Program .....	0560-AG27
255	2001-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco .....	0560-AG28
256	2001-Crop Marketing Quota and Price Support Level for Burley Tobacco .....	0560-AG29
257	2001-Crop Marketing and Price Support Levels for Five Kinds of Tobacco .....	0560-AG30
258	2001-Crop Peanuts National Poundage Quota, National Average Loan Rates for 2001-Crop Quota and Additional Peanuts and Minimum Export Edible Sales Price for Additional Peanuts .....	0560-AG31

## Farm Service Agency—Completed Actions

Sequence Number	Title	Regulation Identification Number
259	Inapplicability to FSA's Farm Loan Programs of Redundant Instructions Regarding the Collection and Depositing of Program Payments .....	0560-AF34
260	1999-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco .....	0560-AF51
261	Debt Settlement of the Farm Loan Program's Nonprogram Loans .....	0560-AF54
262	Servicing Shared Appreciation Agreements .....	0560-AF78
263	Method of Calculation of Loan Deficiency Payment Rates .....	0560-AF87
264	Debt Settlement of Farm Loan Program Loans .....	0560-AF88
265	Amendment to the Farm Loan Program Regarding the Time Period for Requests for Debt Settlement .....	0560-AF89

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## Farm Service Agency—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
266	2000 Dairy Indemnity Payment Program .....	0560-AG10

## Animal and Plant Health Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
267	Plant Pest Regulations; Update of Current Provisions ( <b>Section 610 Review</b> ) .....	0579-AA80
268	Karnal Bunt .....	0579-AA83
269	Importation of Fuji Apples From the Republic of Korea .....	0579-AA93
270	Animal Welfare; Inspection, Licensing, and Procurement of Animals ( <b>Section 610 Review</b> ) .....	0579-AA94
271	Restrictions on the Importation of Ruminants, Meat and Meat Products From Ruminants, and Certain Other Ruminant Products .....	0579-AA98
272	Importation of Solid Wood Packing Material ( <b>Reg Plan Seq. No. 2</b> ) .....	0579-AA99
273	Blood and Tissue Collection at Sheep and Goat Slaughtering Establishments .....	0579-AB13
274	Citrus Canker; Commercial Citrus Tree Replacement Program .....	0579-AB15
275	Importation of Beef From Brazil .....	0579-AB16
276	Importation of Unshu Oranges .....	0579-AB17
277	Phytosanitary Certificates for Imported Fruits and Vegetables .....	0579-AB18
278	Bees, Beekeeping Byproducts, and Beekeeping Equipment ( <b>Section 610 Review</b> ) .....	0579-AB20
279	Exportation of Livestock ( <b>Section 610 Review</b> ) .....	0579-AB21
280	Veterinary Diagnostic User Fees—5 Year Plan for Fees ( <b>Section 610 Review</b> ) .....	0579-AB22
281	Nursery Stock Regulations ( <b>Section 610 Review</b> ) .....	0579-AB23
282	Animal Welfare—Standards for Marine Mammals .....	0579-AB24

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Animal and Plant Health Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
283	Animal Welfare—Standards for Marine Mammals .....	0579-AA59
284	Interstate Movement of Sheep and Goats From States That Do Not Quarantine Scrapie-Infected and Source Flocks ( <b>Section 610 Review</b> ) .....	0579-AA90
285	Irradiation Phytosanitary Treatment of Imported Fresh Fruits and Vegetables .....	0579-AA97
286	Commercial Transportation of Equines to Slaughter .....	0579-AB06
287	Plum Pox Compensation .....	0579-AB19

## Animal and Plant Health Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
288	Importation of Certain Embryos and Animal Semen ( <b>Section 610 Review</b> ) .....	0579-AA63
289	Requiring Treatment of Solid Wood Packing Material From China .....	0579-AB01
290	Importation of Unmanufactured Wood Articles From Mexico .....	0579-AB02
291	Establishment of Regions in the European Union for Hog Cholera, Foot-and-Mouth Disease, and Swine Vesicular Disease .....	0579-AB03
292	Horse Protection; Horse Industry Organizations .....	0579-AB04
293	Noxious Weeds; Weed Categories and Priorities ( <b>Section 610 Review</b> ) .....	0579-AB07
294	Noxious Weeds; Restrictions on Interstate Movement .....	0579-AB08
295	Aquaculture; Farm-Raised Fin Fish .....	0579-AB09
296	Pseudorabies in Swine; Payment of Indemnity .....	0579-AB10

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## Animal and Plant Health Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
297	Importation of Logs, Lumber, and Other Unmanufactured Wood Articles .....	0579-AA82
298	Veterinary Services Multi-Year User Fees ( <b>Section 610 Review</b> ) .....	0579-AA87
299	Importation of Grapefruit, Lemons, and Oranges From Argentina .....	0579-AA92
300	Importation of Poultry From Sinaloa and Sonora, Mexico .....	0579-AA96
301	Importation of Gypsy Moth Host Material From Canada .....	0579-AB11
302	Karnal Bunt; Regulated Areas .....	0579-AB14

## Cooperative State Research, Education, and Extension Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
303	Higher Education Multicultural Scholars Program; Administrative Provisions .....	0524-AA09
304	Hispanic-Serving Institutions Education Grants Program Administrative Provisions .....	0524-AA17
305	Community Food Projects Administrative Provisions .....	0524-AA19
306	Small Business Innovation Research Program Administrative Provisions .....	0524-AA20
307	Biotechnology Risk Assessment Research Grants Program Administrative Provisions .....	0524-AA21
308	National Research Initiative Competitive Grants Program Administrative Provisions .....	0524-AA22

## Cooperative State Research, Education, and Extension Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
309	Matching Funds Requirement for Formula Funds for Agricultural Research and Extension Activities at 1890 Land Grant Institutions and Tuskegee University .....	0524-AA24

## Rural Housing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
310	Civil Rights Compliance Requirements—1901-E to 1940-D .....	0575-AA83
311	Environmental Program Streamline Environmental Process .....	0575-AB98
312	Servicing Community Programs Loans and Grants .....	0575-AC12
313	Multi-Family Housing Reinvention .....	0575-AC13
314	Self-Help Technical Assistance Grants .....	0575-AC20
315	Rural Development Loan Payment and Collection Procedures .....	0575-AC22
316	Community Programs Guaranteed Loan Program .....	0575-AC23
317	Operating Assistance for Migrant Farmworker Projects .....	0575-AC24

## Rural Housing Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
318	Denying Credit to Applicants Delinquent on Any Federal Debt .....	0575-AA66
319	Reengineering and Reinvention of the Direct Section 502 and 504 Single-Family Housing Program .....	0575-AB99

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## Rural Housing Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
320	National Flood Insurance Regulations .....	0575-AC07
321	Guaranteed Rural Housing Loan Single Family .....	0575-AC18
322	Technical Assistance To Encourage the Development of Domestic and Migrant Farm Labor Housing .....	0575-AC25

## Federal Crop Insurance Corporation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
323	General Administrative Regulations; Subpart D; Application for Crop Insurance .....	0563-AB00
324	Common Crop Insurance Regulations; Coarse Grains Crop Insurance Provisions .....	0563-AB64
325	General Administrative Regulations; Movement of Business Among Insurance Providers .....	0563-AB71
326	General Administrative Regulations; Sanctions .....	0563-AB73
327	Common Crop Insurance Regulations; Blueberry Crop Insurance Provisions .....	0563-AB76
328	General Administrative Regulations; Civil Rights Data Collection .....	0563-AB78
329	Common Crop Insurance Regulations; Nursery Crop Insurance Provisions .....	0563-AB80
330	General Administrative Regulations; Interpretations of Statutory and Regulatory Provisions .....	0563-AB82
331	General Administrative Regulations; Actual Production History .....	0563-AB83
332	General Administrative Regulations; Submission of Policies and Provisions of Policies and Rates of Premiums .....	0563-AB84
333	Common Crop Insurance Regulations; Basic Provisions and General Administrative Regulations, Subpart T, Regulations for Implementation .....	0563-AB85

## Federal Crop Insurance Corporation—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
334	General Administrative Regulations; Subpart S; Regulations for Insurance Coverage by Written Agreement .....	0563-AB07
335	Common Crop Insurance Regulations; Small Grains Crop Insurance Provisions and Wheat Winter Coverage Endorsement .....	0563-AB63
336	General Administrative Regulations; Nonstandard Underwriting Classification System .....	0563-AB66
337	General Administrative Regulations; Premium Reductions; Payments of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities .....	0563-AB70
338	Common Crop Insurance Regulations; Millet Crop Insurance Provisions .....	0563-AB79
339	Catastrophic Risk Protection Endorsement; Group Risk Plan of Insurance Regulations; Basic Provisions .....	0563-AB81

## Federal Crop Insurance Corporation—Completed Actions

Sequence Number	Title	Regulation Identification Number
340	General Administrative Regulations; High Risk Land Regulations .....	0563-AA98
341	General Administrative Regulations; Subpart J; Appeal Procedure Regulations .....	0563-AB17
342	General Administrative Regulations; Subpart N; Disaster Assistance Act of 1988 .....	0563-AB20
343	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 400 .....	0563-AB59
344	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 401 .....	0563-AB60
345	Common Crop Insurance Regulations; Florida Fruit Tree Crop Insurance Provisions .....	0563-AB75

## USDA

## Grain Inspection, Packers and Stockyards Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
346	How Can USDA Best Facilitate the Marketing of Grains, Oilseeds, Fruits, Vegetables, and Nuts in Today's Marketplace .....	0580-AA73

## Grain Inspection, Packers and Stockyards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
347	Review Inspection Requirements .....	0580-AA58
348	Livestock Purchase or Sale: Prohibit Non-Reporting of Price .....	0580-AA65
349	Swine Packer Marketing Contracts .....	0580-AA71
350	Regulations to Ensure More Equitable Competition in the Livestock and Meat Packing Industries (Livestock and Poultry Marketing) ( <b>Reg Plan Seq. No. 3</b> ) .....	0580-AA72

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Grain Inspection, Packers and Stockyards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
351	Tolerances for Dividers .....	0580-AA57

## Grain Inspection, Packers and Stockyards Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
352	Poultry Grower Contracts .....	0580-AA51

## Grain Inspection, Packers and Stockyards Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
353	Regulations Issued Under Packers and Stockyards Act (Feed Weight) .....	0580-AA64

## Food and Nutrition Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
354	Special Supplemental Food Program for Women, Infants, and Children (WIC): Miscellaneous Provisions .....	0584-AB10
355	Food Stamp Program Matching Programs and Privacy Protections .....	0584-AB51
356	Child and Adult Care Food Program: Improving Management and Program Integrity ( <b>Reg Plan Seq. No. 4</b> ) .....	0584-AC24
357	Food Stamp Program Regulatory Review: FSP Standards for Approval and Operation of Food Stamp Electronic Benefit Transfer Systems .....	0584-AC37
358	WIC Farmers Market Nutrition Program (FMNP): Expansion Funds Allocation Formula .....	0584-AC68
359	Child Nutrition Programs: Reimbursement for Snacks in Afterschool Care Programs .....	0584-AC72
360	FSP: Civil Rights Data Collections .....	0584-AC75
361	Commodity Supplemental Food Program: Plain Language, Program Accountability, and Program Flexibility .....	0584-AC84
362	Food Stamp Program: Administrative Cost Reimbursement .....	0584-AC86



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## Food and Nutrition Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
363	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages ( <b>Reg Plan Seq. No. 5</b> ) .....	0584-AC90

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Food and Nutrition Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
364	Special Supplemental Food Program for Women, Infants, and Children (WIC): Food Delivery Systems ( <b>Reg Plan Seq. No. 6</b> ) .....	0584-AA80
365	WIC: Requirements for and Evaluation of WIC Program Requests for Bids for Infant Formula Rebate Contracts ...	0584-AB52
366	Food Stamp Program: Anticipating Income and Reporting Changes .....	0584-AB57
367	Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance ( <b>Reg Plan Seq. No. 7</b> ) .....	0584-AB90
368	Disclosure of Free and Reduced-Price Eligibility Information Under the School Nutrition, Summer Food Service, and Child and Adult Care Food Programs .....	0584-AC21
369	Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools: Provision 2 and Provision 3 ...	0584-AC25
370	FSP: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ( <b>Reg Plan Seq. No. 8</b> ) .....	0584-AC39
371	FSP: Noncitizen Eligibility and Certification Provisions of Public Law 104-193 (Previously Entitled State Flexibility and Certification Provisions) ( <b>Reg Plan Seq. No. 9</b> ) .....	0584-AC40
372	FSP: Nondiscretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ( <b>Reg Plan Seq. No. 10</b> ) .....	0584-AC41
373	Food Stamp Program: Work Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Food Stamp Provisions of the Balanced Budget Act of 1997 ( <b>Reg Plan Seq. No. 11</b> ) .....	0584-AC45
374	Special Supplemental Nutrition Program for WIC: Implementation of WIC-Related Provisions of Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC51
375	WIC: Certification Integrity .....	0584-AC76
376	Food Distribution Program: Deletion of Requirement to Evaluate State-Run Commodity Distribution and Warehousing Systems Every 3 Years .....	0584-AC79
377	FDPIR: Income Deduction and Miscellaneous Provision Rule .....	0584-AC81
378	FSP: Electronic Benefit Transfer (EBT) Systems Interoperability and Portability .....	0584-AC91
379	National School Lunch and School Breakfast Programs: Identification of Blended Beef, Pork, Poultry, or Seafood Products .....	0584-AC92
380	WIC: Non-Discretionary Funding Modifications of Public Law 106-224 .....	0584-AC93
381	Child and Adult Care Food Program: Implementing Legislative Reforms to Strengthen Program Integrity .....	0584-AC94
382	Special Nutrition Programs: Disclosure of Children's Eligibility Information to State Medicaid and the State Children's Health Insurance Program (SCHIP) .....	0584-AC95

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## Food and Nutrition Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
383	Regulatory Reform: Provisions Relating to Firms Participating in the Food Stamp Program .....	0584-AC48

## Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
384	Food Stamp Program: Payment of Certain Administrative Costs of State Agencies .....	0584-AB66
385	Food Stamp Program: Food Stamp Recipient Claim Establishment and Collection Standards .....	0584-AB88
386	Food Stamp Program: Retailer Application Processing .....	0584-AC05

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## Food and Nutrition Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
387	Child and Adult Care Food Program: Child Nutrition and WIC Reauthorization Act Amendments and Healthy Meals for Healthy Americans Act of 1994 .....	0584-AC20
388	Food Stamp Program Regulatory Review: Certification of Eligible Households .....	0584-AC28
389	National School Lunch Program and School Breakfast Program: Additional Menu Planning Alternatives .....	0584-AC38
390	Electronic Benefit Transfer (EBT) Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC44
391	Food Stamp Program: Electronic Benefits Transfer (EBT) Benefit Adjustments .....	0584-AC61
392	Food Stamp Provisions of the Balanced Budget Act of 1997 .....	0584-AC63
393	FSP: Maximum Allotments for Alaska, Hawaii, Guam, and the Virgin Islands .....	0584-AC87
394	FSP: Maximum Allotments for 48 States and DC and Income Eligibility Standards and Deductions for 48 States and DC, Alaska, Hawaii, Guam, and the Virgin Islands .....	0584-AC88

## Food Safety and Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
395	Transportation, Storage, and Other Handling of Potentially Hazardous Foods .....	0583-AC05
396	Grant and Inauguration of Inspection .....	0583-AC07
397	Performance Standard for the Chilling or Other Processing of Livestock Carcasses and Ready-to-Cook Poultry ....	0583-AC21
398	Performance Standards for Ready-to-Eat Meat and Poultry Products ( <b>Reg Plan Seq. No. 12</b> ) .....	0583-AC46
399	Performance Standards for Bacon .....	0583-AC49
400	Shell Egg and Egg Products Inspection Regulations ( <b>Reg Plan Seq. No. 13</b> ) .....	0583-AC58
401	Labeling—Generic Approval and Regulation Consolidation .....	0583-AC59
402	Nutrition Labeling of Ground or Chopped Meat and Poultry Products and Single-Ingredient Products ( <b>Reg Plan Seq. No. 14</b> ) .....	0583-AC60
403	Pathogen Reduction; Hazard Analysis and Critical Control Points (HACCP) Systems; Additions to E. Coli Criteria and Salmonella Performance Standards ( <b>Reg Plan Seq. No. 15</b> ) .....	0583-AC63
404	Other Consumer Protection Activities .....	0583-AC64
405	Incorporation of Food and Color Additives Into 21 CFR .....	0583-AC69
406	Transfer and Development of Shell Egg Requirements .....	0583-AC70
407	Food Standards; Guiding Principles and Standards Modernization .....	0583-AC72
408	Sharing Recall Information With State and Other Federal Government Agencies .....	0583-AC75
409	Poultry Inspection: Revision of Finished Product Standards With Respect to Ingesta ( <b>Reg Plan Seq. No. 16</b> ) .....	0583-AC77

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Food Safety and Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
410	Beef or Pork With Barbecue Sauce; Revision of Standards .....	0583-AC09
411	Retained Water in Raw Meat and Poultry Products; Poultry-Chilling Performance Standards ( <b>Reg Plan Seq. No. 17</b> ) .....	0583-AC26
412	Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems ( <b>Reg Plan Seq. No. 18</b> ) ..	0583-AC51
413	Performance Standards for On-line Antimicrobial Reprocessing of Pre-Chill Poultry Carcasses .....	0583-AC73
414	Increases in Fees for Meat, Poultry, and Egg Products Inspection Services—Fiscal Year (FY) 2001 .....	0583-AC74
415	Agency Organization .....	0583-AC78

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Food Safety and Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
416	Ante-Mortem and Post-Mortem Inspection of Livestock and Poultry .....	0583-AC43

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## Food Safety and Inspection Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
417	Requirements for Disposition and Disposal of Inspected Raw Meat and Poultry Products .....	0583-AC44
418	Reworking of Meat and Poultry Carcasses Accidentally Contaminated During Evisceration .....	0583-AC53
419	Reform of Regulations on Imported Livestock and Poultry Products .....	0583-AC56
420	Agency Terminology .....	0583-AC57
421	Food Labeling; Nutrient Content Claims, Definition of the Term Healthy .....	0583-AC65
422	Elimination of Requirements for Total Quality Control Systems .....	0583-AC68

## Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
423	Elimination of Requirements for Partial Quality Control Programs .....	0583-AC35
424	Fee Increase for Egg Products Inspection—Year 2000 .....	0583-AC71

## Foreign Agricultural Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
425	Export Sales Reporting Requirement .....	0551-AA51

## Foreign Agricultural Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
426	CCC Supplier Credit Guarantee Program .....	0551-AA30
427	Facility Guarantee Program .....	0551-AA35

## Foreign Agricultural Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
428	7 CFR Part 6—Licensing for Certain Sugar-Containing Products Under Tariff-Rate Quota (TRQ) .....	0551-AA59

## Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
429	Hydropower Applications .....	0596-AA47
430	Small Tracts Act Regulations .....	0596-AA79
431	Species Surplus to Domestic Manufacturing Needs .....	0596-AB27
432	Sale and Disposal of National Forest System Timber; Extension of Timber Sale Contracts To Permit Urgent Removal of Other Timber .....	0596-AB48
433	Law Enforcement Support Activities .....	0596-AB61
434	Noncompetitive Sale of Timber .....	0596-AB70
435	Categorical Exclusion for Certain Special Uses Permit Actions (FSH 1909.15, Chapter 30) .....	0596-AB73
436	Clarification of Exemptions From Special-Use Authorizations .....	0596-AB74
437	Sale and Disposal of National Forest System Timber; Timber Export and Substitution Restrictions .....	0596-AB75

## USDA

## Forest Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
438	Indian Allotments on National Forest System Lands .....	0596-AA52
439	National Forest System Land and Resource Management Planning ( <b>Reg Plan Seq. No. 19</b> ) .....	0596-AB20
440	Disposal of National Forest Timber; Cancellation of Timber Sale Contracts .....	0596-AB21
441	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations .....	0596-AB36
442	Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands .....	0596-AB45
443	Preference for Visitor Service; Alaska National Forest Conservation System Units .....	0596-AB57
444	Administration of the Forest Development Transportation System ( <b>Reg Plan Seq. No. 20</b> ) .....	0596-AB67
445	Appeal of Regional Guides and National Forest Land and Resource Management Plans; Multi-Agency Decisions .....	0596-AB76
446	Special Areas: Roadless Area Conservation ( <b>Reg Plan Seq. No. 21</b> ) .....	0596-AB77

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Forest Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
447	National Environmental Policy Act; Revised Policy and Procedures; Categorical Exclusions .....	0596-AB54
448	Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities .....	0596-AB69
449	Small Business Timber Sale Set-Aside Recomputation Basis .....	0596-AB72
450	Administration; Cooperation With Other Federal Agencies (36 CFR Part 211, Subpart C) .....	0596-AB78

## Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
451	Designation of Rural Empowerment Zones and Enterprise Communities .....	0503-AA20

## Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
452	Nondiscrimination in USDA-Conducted Programs and Activities .....	0503-AA15

## Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
453	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ...	0503-AA16

## Rural Business-Cooperative Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
454	Business and Industry Direct Loan Program .....	0570-AA22
455	Business and Industrial Guaranteed Loan Program—Miscellaneous Changes .....	0570-AA23
456	Affirmative Fair Housing Marketing Plan .....	0570-AA24
457	Business and Industry Guaranteed Loan Program—Financing Cooperative Stock .....	0570-AA26
458	Rural Business Enterprise Grant Program .....	0570-AA28

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## Rural Business-Cooperative Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
459	Allocation Formulas .....	0570-AA30

## Rural Business-Cooperative Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
460	Rural Economic Development Loan and Grant Program .....	0570-AA19
461	Business and Industry Guaranteed Loan Program—Domestic Lamb Industry Adjustment Assistance Program Set-Aside .....	0570-AA31

## Rural Business-Cooperative Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
462	Rural and Rural Area Under the Rural Community Advancement Program .....	0570-AA27

## Rural Business-Cooperative Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
463	Rural Venture Capital Demonstration Program .....	0570-AA25

## Rural Utilities Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
464	Telecommunications Standards and Specifications for Materials, Equipment, and Construction .....	0572-AB40
465	Telecommunications System Construction Contract and Specifications .....	0572-AB41
466	Servicing of Water Programs Loans and Grants .....	0572-AB59
467	Extensions of Payments of Principal or Principal and Interest .....	0572-AB60
468	Mergers and Consolidations of Electric Borrowers .....	0572-AB63
469	Pre-Loan Policies and Procedures Common to Insured and Guaranteed Telecommunications Loans .....	0572-AB64

## Rural Utilities Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
470	Seismic Safety .....	0572-AB47
471	Revision of RUS Telecommunications Program and RTB Loan Documents .....	0572-AB48
472	General and Pre-Loan Policies and Procedures Common to Insured and Guaranteed Electric Loans .....	0572-AB52
473	Electric Engineering, Architectural Services, and Design Policies and Procedures .....	0572-AB54
474	Water and Waste Disposal Programs Guaranteed Loans .....	0572-AB57
475	Elimination of Current Ratio Requirements .....	0572-AB58
476	Settlement of Debt .....	0572-AB61
477	RUS Form 213, Certification (Buy American) .....	0572-AB62

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## Rural Utilities Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
478	Electric Standards and Specifications for Materials and Construction .....	0572-AA67
479	Solid Waste Management Grants .....	0572-AB14
480	Technical Assistance and Training Grants .....	0572-AB15
481	RUS Approval of Additions and Extensions to Electric Plants .....	0572-AB38
482	The "Buy American" Requirement .....	0572-AB55

## Rural Utilities Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
483	Loan Documents—Bank Program .....	0572-AA76
484	Use of General Funds Investments, Loan Guarantees, and Retirement of Capital Credits by Electric Borrowers ....	0572-AB01
485	RUS Approval of Sale of Capital Assets by Electric Borrowers .....	0572-AB02
486	Water and Waste Loan and Grant Servicing .....	0572-AB23
487	Special Equipment Contract (Including Installation) .....	0572-AB35
488	Reduction in Minimum TIER Requirements .....	0572-AB51
489	General Policies, Types of Loans, Loan Requirements—Telecommunications Program .....	0572-AB53
490	General Policies, Types of Loans, Loan Requirements—Telecommunications Program (Reasonably Adequate Service) .....	0572-AB56

## Natural Resources Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
491	Conservation of Private Grazing Land .....	0578-AA29
492	Emergency Watershed Protection Program .....	0578-AA30

## Natural Resources Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
493	Highly Erodible Land and Wetland Conservation .....	0578-AA17
494	Forestry Incentives Program .....	0578-AA26
495	Wetland Categorical Minimal Effects Exemptions .....	0578-AA27

## Natural Resources Conservation Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
496	Forestry Incentive Program .....	0578-AA28

## Office of Procurement and Property Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
497	Agriculture Acquisition Regulation: Amendment to Part 442, Contract Administration .....	0599-AA08

**USDA**

Office of Procurement and Property Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
498	Department of Agriculture Priorities and Administrative Guideline for Donation of Excess Research Equipment .....	0599-AA06

Office of Procurement and Property Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
499	New Restrictions on Lobbying .....	0599-AA03
500	Agriculture Acquisition Regulation (AGAR); Contractor Employment of Migrant and Seasonal Agricultural Workers	0599-AA05

**Department of Agriculture (USDA)  
Agricultural Marketing Service (AMS)**

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**174. NATIONAL LABORATORY ACCREDITATION PROGRAM**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 7 USC 138 to 138i

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The 1990 Farm Bill authorized the creation of a National Laboratory Accreditation Program (NLAP) for laboratories that request accreditation and conduct residue testing of agricultural products concerning chemical residue levels on agricultural products. The program is designed to protect human health by ensuring that laboratories which make claims to the public concerning pesticide residue levels meet minimum quality and reliability standards. The standards for the NLAP will be provided by the Food and Drug Administration with the operation of the program under the Agricultural Marketing Service, USDA. The program costs will be offset by a fee schedule. The one-time appropriation was used to provide for a fully equipped pesticide laboratory to verify the findings of those laboratories applying for accreditation.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/20/92	57 FR 54727
ANPRM Comment Period End	01/19/93	
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** James V. Falk, Scientist, Technical Services Branch, Department of Agriculture, Agricultural Marketing Service, Room 3523-South, Science and Technology Program, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 690-4089  
Fax: 202 720-4631  
Email: james.falk@usda.gov

**RIN:** 0581-AB42

**175. PROCESSED FRUITS AND VEGETABLES: QUALIFIED THROUGH VERIFICATION (QTV)**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 52

**Legal Deadline:** None

**Abstract:** The Department of Agriculture (USDA) is proposing to revise the regulations governing inspection and certification of processed fruits and vegetables and certain other products by making changes to the definitions for the terms “inspection service, general”; “inspection service, types of”; “official identification”; and “official marks” to specifically provide for a new voluntary audit-based inspection service for food safety and wholesomeness under the authority of the Agricultural Marketing Act (AMA) of 1946, amended. The “Qualified Through Verification” (QTV) Program was developed as a pilot program in 1995 at the request of the fresh-cut produce industry. The

industry asked for a voluntary audit and verification service using science-based techniques that would help maintain public confidence in the wholesomeness of minimally processed fruits and vegetables. AMS finds that the economic impact of this action on businesses should be similar in effect to other existing voluntary programs within the Agency and that firms availing themselves of the QTV program will not necessarily have a significant marketing advantage or risk over those that do not use the service. It is reasonable to assume that a company would not choose to participate in the program unless it expected benefits to exceed costs. AMS went out in a variety of ways, public meetings and public notice to inform the public of the new service which was requested initially by the fresh-cut produce industry. The AMA of 1946 provides AMS authority for offering voluntary quality assurance and related services.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** James R. Rodeheaver, Chief, Processed Products Branch, Department of Agriculture, Agricultural Marketing Service, MS 0709, Fruit & Vegetable Programs, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 720-4693

**USDA—AMS**

**Proposed Rule Stage**

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 Email: john.duncan3@usda.gov  
**RIN:** 0581—AB86

**176. GENERAL SPECIFICATIONS FOR DAIRY PLANTS APPROVED FOR USDA INSPECTION AND GRADING**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 7 USC 1621 to 1627  
**CFR Citation:** 7 CFR 58  
**Legal Deadline:** None

**Abstract:** The proposed rule would: (1) Lower the maximum allowable bacterial estimate for manufacturing-grade producer milk from 1,000,000 per milliliter to 500,000 per milliliter; (2) lower the maximum allowable somatic cell count from 1,000,000 to 750,000 cells per milliliter; (3) lower the maximum permitted bacterial estimate in commingled milk from 3,000,000 per milliliter to 1,000,000 per milliliter; (4) modify the follow-up procedures when producer herd milk exceeds the maximum allowable bacterial estimate; (5) delete the laboratory screening test for somatic cells in producer-held milk samples (no change for goat milk); and (6) make editorial changes where necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Duane R. Spomer, Chief, Standardization Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 2746-South, Dairy Programs, P.O. Box 96456, Washington, DC 20090-6456  
 Phone: 202 720-7473  
 Fax: 202 720-2643

**177. ● TOBACCO FEES AND CHARGES FOR PERMISSIVE INSPECTION: FEE INCREASE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 7 USC 511 et seq  
**CFR Citation:** 7 CFR 29  
**Legal Deadline:** None

**Abstract:** The U.S. Department of Agriculture (the Department) is proposing to increase the fees and charges currently in force for permissive grading of quota and nonquota tobacco to reflect the increased costs of operating the program. The Tobacco Inspection Act requires the Secretary to fix and collect fees and charges for the voluntary inspection and certification of tobacco, and fees must cover, as nearly as practicable, the Department's costs for performing these services. The Agricultural Marketing Service is proposing that the base hourly rate be revised to \$47.40, the overtime rate shall be revised to \$54.22 and Sunday and holiday rate will be revised to \$69.38. These fees would cover expenses and maintain a reserve that would meet any reasonable contingency.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456

**178. ● MEAT GRADING REGULATIONS FOR IMPORTED LIVESTOCK**

**Priority:** Other Significant  
**Legal Authority:** 7 USC 1621 through 1627  
**CFR Citation:** 7 CFR 54

**Legal Deadline:** None

**Abstract:** Advance notice of proposed rulemaking requesting public comments on meat grading regulations for imported livestock. National Cattlemen's Beef Association petitioned the Department of Agriculture to discontinue the official grading of imported beef carcasses.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/01/00	65 FR 4780
ANPRM Comment Period End	04/03/00	
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Larry P. Meadows, Chief, Meat Grading and Certification Branch, Department of Agriculture, Agricultural Marketing Service, Room 2628-South, Mail Stop 0248, L&S, Meat Grading Branch, 14th and Independence Avenue SW, Washington, DC 20250  
 Phone: 202 720-1246  
 Fax: 202 690-4119  
 Email: larry.meadows@usda.gov

**RIN:** 0581—AB90

**Department of Agriculture (USDA)  
 Agricultural Marketing Service (AMS)**

**Final Rule Stage**

**179. NATIONAL ORGANIC PROGRAM**

**Regulatory Plan:** This entry is Seq. No. 1 in Part II of this issue of the **Federal Register**.

**RIN:** 0581—AA40

**180. VOLUNTARY SHELL EGG REGULATIONS; REPACKAGING OF SHELL EGGS UNDER USDA'S GRADING PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 56

**Legal Deadline:** None

**Abstract:** Currently about one-third of the Nation's table eggs are marketed under the voluntary shell egg-grading program. Shell egg processors that choose to use this service pay a fee



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to have graders in their plants monitor processing operations and verify the grade and size of eggs packaged into packages bearing the USDA grade shield. The proposal would provide that, in order to be officially identified with a USDA consumer grade shield, shell eggs must not be more than 15 days old (or some other period between 15 and 30 days if justified by public comment) and must not have been previously shipped for retail sale.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/99	64 FR 40522
NPRM Comment Period End	09/27/99	
Final Action	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Douglas C. Bailey, Chief, Standardization Branch, Poultry Programs, Department of Agriculture, Agricultural Marketing Service, Room 3944-S, MS 0259, 1400 Independence Avenue SW, Washington, DC 20250-0259

Phone: 202 720-3506

Fax: 202 690-0941

Email: douglas.bailey@usda.gov

**RIN:** 0581-AB56

**181. LIVESTOCK MANDATORY REPORTING ACT OF 1999**

**Priority:** Economically Significant

**Legal Authority:** 7 USC 1621

**CFR Citation:** None

**Legal Deadline:** NPRM, Statutory, January 2000.

Final, Statutory, April 2000.

**Abstract:** The purpose of this rule is to establish a program of information regarding the marketing of cattle, swine, lambs, and products of such livestock.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/00	65 FR 14652
NPRM Comment Period End	04/17/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** John E. VanDyke, Chief, Livestock and Grain Market News, Department of Agriculture, Agricultural Marketing Service, Room 2619, South Building, 14th and Independence Avenue SW, Washington, DC 20090-6456  
Phone: 202 720-6231  
Fax: 202 690-3732  
Email: john.vandyke@usda.gov

**RIN:** 0581-AB64

**182. PROGRAM TO ASSESS ORGANIC CERTIFYING AGENCIES**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 37

**Legal Deadline:** None

**Abstract:** This rule establishes a voluntary, fee-for-service program to verify that State and private organic certifying agencies comply with the requirements prescribed under the International Organization for Standardization Guide 65. This assessment program, conducted by the Livestock and Seed Program, is established to enable organic certifying agencies to comply with European Union requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/09/99	64 FR 30861
Interim Final Rule Effective	06/10/99	
Interim Final Rule Comment Period End	08/09/99	
Final Action	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** Larry R. Meadows, Chief, Meat Grading and Certification Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0248, Rm. 2626-South, Livestock & Seed Program, 14th & Independence Avenue SW, Washington, DC 20250-0248

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Email: larry.meadows@usda.gov

**RIN:** 0581-AB70

**183. • TOBACCO FEES AND CHARGES FOR MANDATORY INSPECTION: FEE INCREASE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 511 et seq

**CFR Citation:** 7 CFR 29

**Legal Deadline:** None

**Abstract:** The U.S. Department of Agriculture (the Department) is increasing the fees and charges for mandatory inspection and certification of producer tobacco sold at designated auction markets. The current fee of \$.0083 per pound has been in effect since 1995. The new rate will be \$.0100 per pound. Due to reduced quotas, the volume of tobacco delivered for inspection has declined. An increase of \$.0017 per pound is necessary to adequately fund the level of service the industry desires.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/26/00	65 FR 34039
Interim Final Rule Effective	05/30/00	
Interim Final Rule Comment Period End	06/26/00	
Final Action	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 205-0567

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Email: john.duncan3@usda.gov

**RIN:** 0581-AB87

**184. • CHANGES IN FEES FOR SCIENCE AND TECHNOLOGY LABORATORY SERVICE (S&T-99-008 PR)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 90 to 94; 7 CFR 98

**Legal Deadline:** None

**Abstract:** The Agricultural Marketing Service (AMS) proposes to increase the standard hourly fee rate for each

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laboratory analysis conducted under the AMS Science and Technology (S.T) Laboratory Program from \$36.26 to \$45.00. These proposed 24.1 percent increases in user service fees reflect the additional revenue S&T is required to collect in order to recover laboratory program expenses.

**Timetable:**

Action	Date	FR Cite
NPRM	05/26/00	65 FR 34301
NPRM Comment	06/15/00	
Period End		
Final Action	10/00/00	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** James V. Falk, Scientist, Technical Services Branch, Department of Agriculture, Agricultural Marketing Service, Room 3523-South, Science and Technology Program, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 690-4089  
Fax: 202 720-4631  
Email: james.falk@usda.gov

**RIN:** 0581-AB91
**Department of Agriculture (USDA)**  
**Agricultural Marketing Service (AMS)**

## Long-Term Actions

**185. OLIVE OIL PROMOTION, RESEARCH AND INFORMATION ORDER****Priority:** Routine and Frequent**CFR Citation:** 7 CFR 1217**Timetable:**

Action	Date	FR Cite
NPRM	08/26/99	64 FR 46754
NPRM Comment	12/03/99	64 FR 46754
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Oliver Layne Flake  
Phone: 202 720-5976  
Fax: 202 205-2800  
Email: Oliver.Flake@USDA.Gov

**RIN:** 0581-AB62**186. CHANGES IN FEES FOR FEDERAL GRADING AND CERTIFICATION OF LIVESTOCK FOR CHICAGO MERCANTILE EXCHANGE FUTURES DELIVERIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 53**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** John E. VanDyke  
Phone: 202 720-6231  
Fax: 202 690-3732  
Email: John.VanDyke@USDA.Gov

**RIN:** 0581-AB66**187. REGULATIONS GOVERNING THE CERTIFICATION OF SANITARY DESIGN AND FABRICATION OF EQUIPMENT USED IN THE SLAUGHTER, PROCESSING, AND PACKAGING OF LIVESTOCK AND POULTRY PRODUCTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 54**Timetable:**

Action	Date	FR Cite
NPRM	06/06/00	65 FR 35857
NPRM Comment	08/07/00	65 FR 35857
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

**Agency Contact:** Craig Allen Morris  
Phone: 202 720-1121  
Fax: 202 720-3499  
Email: Craig.Morris@USDA.Gov

**RIN:** 0581-AB69**188. REGULATIONS GOVERNING THE INSPECTION OF EGGS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 57**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rex A Barnes  
Phone: 202 720-3271  
Fax: 202 690-3165  
Email: Rex.Barnes@USDA.GOV

**RIN:** 0581-AB74**189. HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION ORDER****Priority:** Routine and Frequent**CFR Citation:** 7 CFR 1240**Timetable:**

Action	Date	FR Cite
NPRM	02/28/00	65 FR 10600
NPRM Comment	04/28/00	
Period End		
Second NPRM	08/07/00	65 FR 48324
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

**Agency Contact:** Kathie Birdsell  
Phone: 202 720-4835  
Fax: 202 205-2800  
Email: kathie.birdsell@usda.gov

**RIN:** 0581-AB84**190. CHANGES IN FEE FOR VOLUNTARY FEDERAL FRUITS AND VEGETABLES, PROCESSED****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 52**Timetable:**

Action	Date	FR Cite
NPRM	06/28/00	65 FR 39824
NPRM Comment	08/28/00	
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** James R. Rodeheaver  
Phone: 202 720-4693

## USDA—AMS

## Long-Term Actions

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 Email: james.rodeheaver@usda.gov  
 RIN: 0581-AB85

**191. • VOLUNTARY GRADING OF SHELL EGGS (PY-00-003)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1621 through 1627

**CFR Citation:** 7 CFR 56

**Legal Deadline:** None

**Abstract:** The Agricultural Marketing Service (AMS) reviewed the regulations

in 7 CFR part 56 and identified changes necessary to bring the regulations up-to-date. AMS is proposing to update and clarify the voluntary shell egg grading regulations for facilities required for grading service, the operating requirements of plants utilizing the grading service, and the methods by which the grading service is provided.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rex A Barnes, Chief, Grading Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0258, Poultry Programs, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-3271

Fax: 202 690-3165

Email: rex.barnes@usda.gov

RIN: 0581-AB88

**Department of Agriculture (USDA)  
 Agricultural Marketing Service (AMS)**

## Completed Actions

**192. REFRIGERATION REQUIREMENTS FOR SHELL EGGS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 56

**Completed:**

Reason	Date	FR Cite
Final Action	05/31/00	65 FR 34569
Final Action Effective	06/30/00	65 FR 34569

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rex A Barnes

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Email: Rex.Barnes@USDA.GOV

RIN: 0581-AB60

**194. FEES FOR DESTINATION MARKET INSPECTION OF FRESH FRUITS AND VEGETABLES AND OTHER PRODUCTS: FEE INCREASE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 51

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/27/00	65 FR 46114

**Regulatory Flexibility Analysis**

**Required:** Yes

**Government Levels Affected:** None

**Agency Contact:** Robert J. Huttenlocker

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Fax: 202 720-5136

Email: robert.huttenlocker@usda.gov

RIN: 0581-AB63

Email: Lee.Cliburn@USDA.GOV

RIN: 0581-AB67

**196. SUPERVISORY FOLLOW-UP INSPECTIONS FOR FRESH FRUIT AND VEGETABLE INSPECTION AND CERTIFICATION SERVICES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** Not Yet Determined

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/19/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert J. Huttenlocker

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Email: robert.huttenlocker@usda.gov

RIN: 0581-AB68

**193. BLUEBERRY RESEARCH, PROMOTION, AND INFORMATION ORDER**

**Priority:** Routine and Frequent

**CFR Citation:** 7 CFR 1218

**Completed:**

Reason	Date	FR Cite
Final Action	02/15/00	65 FR 7651
Final Action Effective	02/16/00	65 FR 7651

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Oliver Layne Flake

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Email: Oliver.Flake@USDA.Gov

RIN: 0581-AB61

**195. THE USE OF HIGH VOLUME INSTRUMENT (HVI) COLOR GRADE AS THE OFFICIAL USDA COLOR GRADE FOR AMERICAN UPLAND COTTON**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 27; 7 CFR 28

**Completed:**

Reason	Date	FR Cite
Final Action	06/09/00	65 FR 36597
Final Action Effective	07/01/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** A. Lee Cliburn

Phone: 202 720-2145

Fax: 202 690-1718

**197. REVISION OF PLANT VARIETY PROTECTION OFFICE FEES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 97

**Completed:**

Reason	Date	FR Cite
Final Action	08/02/00	65 FR 47243
Final Action Effective	09/01/00	65 FR 47243

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ann Marie Thro

Phone: 301 504-5518

RIN: 0581-AB71

## USDA—AMS

## Completed Actions

**198. COTTON CLASSIFICATION SERVICES TO GROWERS, USER FEES FOR 2000 CROP****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 28**Completed:**

Reason	Date	FR Cite
Final Action	06/06/00	65 FR 35807
Final Action Effective	07/07/00	65 FR 35807

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** A. Lee Cliburn

Phone: 202 720-2145

Fax: 202 690-1718

Email: Lee.Cliburn@USDA.GOV

**RIN:** 0581-AB72**199. AMEND REGULATIONS FOR TOBACCO INSPECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 29**Completed:**

Reason	Date	FR Cite
Final Action	07/27/00	65 FR 46085
Final Action Effective	07/28/00	65 FR 46085

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** John P. Duncan

Phone: 202 205-0567

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Email: John.Duncan3@USDA.Gov

**RIN:** 0581-AB75**200. PERISHABLE AGRICULTURAL COMMODITIES ACT: INCREASE IN LICENSE AND COMPLAINT FEES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 46**Completed:**

Reason	Date	FR Cite
Withdrawn	07/18/00	

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** Federal**Agency Contact:** Charles W. Parrott

Phone: 202 720-2272

Fax: 202 690-4413

Email: Charles.Parrott@USDA.Gov

**RIN:** 0581-AB76**201. PERISHABLE AGRICULTURAL COMMODITIES ACT: RECOGNIZING LIMITED LIABILITY COMPANIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 46**Completed:**

Reason	Date	FR Cite
Final Action	04/28/00	65 FR 24853
Final Action Effective	05/30/00	65 FR 24853

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** Federal**Agency Contact:** Charles W. Parrott

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Fax: 202 690-4413

Email: Charles.Parrott@USDA.Gov

**RIN:** 0581-AB77**202. BLUEBERRY PROMOTION, RESEARCH, AND INFORMATION ORDER****Priority:** Routine and Frequent**CFR Citation:** 7 CFR 1218**Completed:**

Reason	Date	FR Cite
Final Action	07/17/00	65 FR 43961
Final Action Effective	08/16/00	65 FR 43961

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Oliver Layne Flake

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Fax: 202 205-2800

Email: Oliver.Flake@USDA.Gov

**RIN:** 0581-AB78**203. FEDERAL SEED TESTING AND CERTIFICATION SERVICES, INCREASE IN FEES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 75**Completed:**

Reason	Date	FR Cite
Final Action	03/24/00	65 FR 15830
Final Action Effective	04/24/00	65 FR 15830

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Richard C. Payne

Phone: 301 504-9430

Email: Richard.Payne2@USDA.Gov

**RIN:** 0581-AB80**204. MEAT GRADING REGULATIONS FOR IMPORTED LIVESTOCK****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 54**Completed:**

Reason	Date	FR Cite
Duplicate of 0581-AB90	09/26/00	

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** None**Agency Contact:** Larry R. Meadows

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**RIN:** 0581-AB81**205. GRADE STANDARDS AND CLASSIFICATION FOR AMERICAN PIMA COTTON****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 28**Completed:**

Reason	Date	FR Cite
NPRM	04/04/00	65 FR 17609
Final Action	06/09/00	65 FR 36598
Final Action Effective	06/11/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** A. Lee Cliburn

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**RIN:** 0581-AB82**206. CHANGES IN FEES FOR VOLUNTARY FEDERAL MEAT GRADING AND CERTIFICATION SERVICES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 54**Completed:**

Reason	Date	FR Cite
Final Action	05/26/00	65 FR 34040
Final Action Effective	06/26/00	65 FR 34040

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Larry R. Meadows

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**RIN:** 0581-AB83

## USDA—AMS

## Completed Actions

**207. • INCREASE IN FEES AND CHARGES FOR EGG, POULTRY, AND RABBIT GRADING (PY-00-002)****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 through 1627**CFR Citation:** 7 CFR 56; 7 CFR 70**Legal Deadline:** None**Abstract:** The Agricultural Marketing Service proposes to increase the fees and charges for Federal voluntary egg, poultry, and rabbit grading. These fees and charges are increased to cover the

increase in salaries of Federal employees, salary increases of State employees cooperatively utilized in administering the program, and other increased Agency costs.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/00	65 FR 37298
NPRM Comment Period End	07/14/00	
Final Action	09/27/00	65 FR 57939

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rex A Barnes, Chief, Grading Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0258, Poultry Programs, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 720-3271  
Fax: 202 690-3165  
Email: rex.barnes@usda.gov**RIN:** 0581-AB89**BILLING CODE** 3410-02-S**Department of Agriculture (USDA)  
Farm Service Agency (FSA)**

## Proposed Rule Stage

**208. REGULATORY STREAMLINING OF THE FARM SERVICE AGENCY'S DIRECT FARM LOAN PROGRAMS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR ch 7; 7 CFR ch 18**Legal Deadline:** None**Abstract:** The Farm Service Agency (FSA) direct farm loan programs are still using the regulations and handbooks from the former Farmers Home Administration and still share many of its regulations, forms, and handbooks with the Rural Housing Service, Rural Utilities Service, and the Rural Business-Cooperative Services of the Rural Development Agency. This is very cumbersome and confusing to both Agency employees and the general public. This action will move all the direct farm loan program regulations from 7 CFR chapter 18 to 7 CFR chapter 7 and will allow FSA the opportunity to rewrite and re-engineer its direct farm loan program regulations. This action also consolidates a number of actions that were previously included in the regulatory agenda under separate RIN's: 0560-AE04, 0560-AE07, 0560-AE09, 0560-AE11, 0560-AE13, 0560-AE14,

0560-AE15, 0560-AE37, 0560-AE87, 0560-AE88, 0560-AE90, 0560-AE98, and 0560-AE99.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
Phone: 202 205-5851  
Fax: 202 720-5233  
Email: tom\_witzig@wdc.fsa.usda.gov**RIN:** 0560-AF60**209. PRODUCTION FLEXIBILITY CONTRACTS FOR WHEAT, FEED GRAINS, RICE, AND UPLAND COTTON****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 7211 et seq**CFR Citation:** 7 CFR 1412.401**Legal Deadline:** None**Abstract:** The Farm Service Agency (FSA) is requesting comments regarding the appropriateness of the current method of calculating Production Flexibility Contract (PFC) payment reductions resulting from planting violations. Comments will be requested on (1) the appropriateness of the

current method of calculating PFC payments reductions as a result of fruit or vegetable planting violations, (2) alternative methods for calculating the payment reductions, (3) retroactivity of any change in the method, and (4) the effect of a change on PFCs that have been terminated or for which contract acreage was reduced because of the current method of calculation. This action is not expected to have any significant cost.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/05/99	64 FR 24091
ANPRM Comment Period End	06/02/99	
Second ANPRM	06/25/99	64 FR 34154
Second ANPRM Comment Period End	07/23/99	
NPRM	10/06/00	65 FR 59759
NPRM Comment Period End	11/06/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
Phone: 202 205-5851  
Fax: 202 720-5233  
Email: tom\_witzig@wdc.fsa.usda.gov**RIN:** 0560-AF79

**Department of Agriculture (USDA)**  
**Farm Service Agency (FSA)**

**Final Rule Stage**

**210. • NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 2001 AND SUCCEEDING CROP YEARS**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**Legal Authority:** PL 106-224

**CFR Citation:** 7 CFR 1437

**Legal Deadline:** None

**Abstract:** This rule implements provisions of the Agricultural Risk Protection Act of 2000 amending the NAP regulations to eliminate the area loss requirement, implement an administrative service fee, and require producers to apply for assistance not later than 30 days before the beginning of the coverage period. The expected cost is about \$100 million per year over the next 4 years.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG20

**211. • SPECIAL APPLE PROGRAM AND EMERGENCY LOAN FOR SEED PRODUCERS PROGRAM**

**Priority:** Other Significant

**Legal Authority:** PL 106-224

**CFR Citation:** 7 CFR 773; 7 CFR 774

**Legal Deadline:** Final, Statutory, October 18, 2000. The statute requires implementation within 120 days of enactment, which was 6/20/00.

**Abstract:** The Agricultural Risk Protection Act of 2000 provides for assistance to agricultural producers. This action will implement the provisions of the Act for loans to apple producers and to seed producers. Section 203(f) of the Act provides that CCC funds be used to provide loans to producers that are suffering economic loss as the result of low prices for apples. Loan funds may be used to refinance debts incurred in previous production years, pay operating expenses in the upcoming production cycle, purchase equipment, or make improvements needed to produce apples. The statute does not mandate the amount of loan funds that will be made available; however, section 203(f)(5) provides that the cost of loans (resulting from losses, there is no interest subsidy since the rate is equivalent to the cost of money) shall not exceed \$5 million.

Section 253 of the Act provides that the Secretary shall use \$35 million, plus \$200,000 for payment of administrative costs, to make no-interest loans to producers of the 1999 crop of grass, forage, vegetable, and

sorghum seed that have not received payments from AgriBiotech for seed as a result of bankruptcy proceedings involving AgriBiotech. Section 253(d) of the Act provides that the cost of loans (resulting from interest subsidy and loan losses) shall not exceed \$15 million.

Other provisions of the Act will be implemented in separate regulations. Section 263 of the Act provides that the regulations be promulgated and the programs administered without regard to the notice and comment provisions of 5 U.S.C. 553, the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), the Paperwork Reduction Act, and the 60-day waiting period for Congressional Review under section 801 of 5 U.S.C. 553.

**Timetable:**

Action	Date	FR Cite
Final Rule	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG23

**Department of Agriculture (USDA)**  
**Farm Service Agency (FSA)**

**Long-Term Actions**

**212. SMALL FARMER OUTREACH TRAINING AND TECHNICAL ASSISTANCE PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1943 subpart C

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/27/94	59 FR 66441
Interim Final Rule	02/27/95	
Comment Period End		
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** State

**Agency Contact:** Tom Witzig  
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**RIN:** 0560-AE17

**213. PART 1946 MEDIATION; SUBPART A—AGRICULTURAL LOAN MEDIATION PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1946 subpart A

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/99	64 FR 61034
NPRM Comment Period End	01/10/00	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** Tom Witzig  
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**RIN:** 0560-AE26

## USDA—FSA

## Long-Term Actions

**214. SELECTION AND FUNCTIONS OF FARM SERVICE AGENCY STATE AND COUNTY COMMITTEES**

Priority: Info./Admin./Other

CFR Citation: 7 CFR 7

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AE33

**215. AMENDMENTS TO THE FARMER ACCOUNT SERVICING POLICIES**

Priority: Economically Significant

CFR Citation: 7 CFR 1900; 7 CFR 1965; 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1962

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/14/88	53 FR 35638
NPRM	10/23/91	56 FR 54970
Interim Final Rule	04/30/92	57 FR 18612
Interim Final Rule	10/15/92	57 FR 47257
Interim Final Rule	03/23/93	58 FR 15418
Interim Final Rule	05/26/93	58 FR 30104
Interim Final Rule	12/30/93	58 FR 69190
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AE42

**216. AMENDMENTS TO THE STANDARDS FOR APPROVAL OF WAREHOUSE FOR COMMODITY CREDIT CORPORATION STORAGE CONTRACTS**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1421; 7 CFR 1423; 7 CFR 1427

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AE50

**217. DELETION OF FSA REGULATIONS REGARDING COLORADO RIVER BASIN SALINITY CONTROL PROGRAM**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 702; 7 CFR 703; 7 CFR 752

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AE54

**218. AMENDMENT TO THE COTTON WAREHOUSE REGULATIONS REGARDING THE DEFINITION OF "UNNECESSARY DELAY"**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 735

**Timetable:**

Action	Date	FR Cite
ANPRM	05/26/98	63 FR 28488
ANPRM Comment Period End	07/27/98	
NPRM	05/28/99	64 FR 28938
NPRM Comment Period End	07/27/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF13

**219. AMENDMENTS TO THE DEBT SETTLEMENT POLICIES AND PROCEDURES TO CONFORM TO THE DEBT COLLECTION IMPROVEMENT ACT OF 1996**

Priority: Other Significant

CFR Citation: 7 CFR 792; 7 CFR 1403; 7 CFR 1404

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF22

**220. AMENDMENTS TO THE FORAGE PROVISIONS OF THE NONINSURED CROP DISASTER ASSISTANCE PROGRAM**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1437

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/17/97	62 FR 53929
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF23

**221. SUGAR PROGRAM INFORMATION REPORTING AND RECORDKEEPING REQUIREMENTS**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1435

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Agency Contact: Tom Witzig

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## USDA—FSA

## Long-Term Actions

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RIN: 0560—AF31

**222. AMENDMENT TO THE FARM RECONSTITUTION REGULATIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 718

**Timetable:**

Action	Date	FR Cite
NPRM	02/04/00	65 FR 5444
NPRM Comment Period End	03/06/00	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560—AF36

**223. DAIRY RECOURSE LOAN PROGRAM**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1430

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39442
NPRM Comment Period End	09/07/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560—AF41

**224. DEBT SETTLEMENT FOR INDIAN TRIBAL LAND ACQUISITION LOANS**

Priority: Other Significant

CFR Citation: 7 CFR 1823; 7 CFR 1951

**Timetable:**

Action	Date	FR Cite
ANPRM	03/03/99	64 FR 10235
ANPRM Comment Period End	04/02/99	
NPRM	11/02/99	64 FR 59131
NPRM Comment Period End	12/02/99	
NPRM Comment Period Reopened	03/31/00	

Action	Date	FR Cite
Comment Period End	05/01/00	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Tom Witzig

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RIN: 0560—AF43

**225. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1998 AND SUCCEEDING CROP YEARS**

Priority: Other Significant

CFR Citation: 7 CFR 1437

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/09/99	64 FR 17271
Interim Final Rule Comment Period End	06/08/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560—AF46

**226. 1999-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO**

Priority: Other Significant

CFR Citation: 7 CFR 723; 7 CFR 1464

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560—AF50

**227. REMOVE INTERNAL AGENCY PROVISION FROM FSA FARM CREDIT PROGRAM REGULATION—LIQUIDATION OF LOANS SECURED BY REAL ESTATE AND ACQUISITION OF REAL AND CHATTEL PROPERTY**

Priority: Info./Admin./Other

CFR Citation: 7 CFR 1955

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 0560—AF53

**228. CLEANING AND REINSPECTION OF FARMERS' STOCK PEANUTS**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1446

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/98	63 FR 41711
NPRM Comment Period End	09/04/98	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 0560—AF56

**229. AMENDMENTS TO THE REGULATIONS GOVERNING THE PEANUT POUNDAGE QUOTA AND PRICE SUPPORT PROGRAMS**

Priority: Other Significant

CFR Citation: 7 CFR 714; 7 CFR 729; 7 CFR 1446

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/18/00	65 FR 8245
Interim Final Rule Effective	02/18/00	
Interim Final Rule Comment Period End	03/20/00	
Final Action	To Be	Determined



## USDA—FSA

## Long-Term Actions

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF61**230. SMALL HOG OPERATION PAYMENT PLAN****Priority:** Other Significant**CFR Citation:** 7 CFR 761**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	02/05/99	
Interim Final Rule	02/10/99	64 FR 6495
Interim Final Rule Comment Period End	03/12/99	
Interim Final Rule Comment Period End (Information Collections)	04/12/99	
Interim Final Rule Effective	08/26/99	
Interim Final Rule	08/30/99	64 FR 47097
Interim Final Rule Comment Period End	09/29/99	
Interim Final Rule Comment Period End (Information Collections)	10/29/99	
Correction	11/17/99	64 FR 62565
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF70**231. LOW DOCUMENTATION LOAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1910; 7 CFR 1941**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF71**232. STREAMLINING OF THE EMERGENCY FARM LOAN PROGRAM REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1945**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF72**233. AMENDMENTS TO THE CONSERVATION RESERVE PROGRAM REGULATIONS REGARDING LAND ELIGIBILITY****Priority:** Other Significant**CFR Citation:** 7 CFR 1410**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF77**234. SUSPENSION OF COLLECTION OF RECAPTURE AMOUNT FOR BORROWERS WITH CERTAIN SHARED APPRECIATION AGREEMENTS****Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/23/99	64 FR 19863
Interim Final Rule Comment Period End	06/22/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF80**235. 2000-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES FOR QUOTA AND ADDITIONAL PEANUTS AND MINIMUM EXPORT-EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS****Priority:** Other Significant**CFR Citation:** 7 CFR 729; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
NPRM	11/30/99	64 FR 66790
NPRM Comment Period End	12/10/99	
Quota Announcement	12/13/99	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF83**236. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Quota Announcement	12/15/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF84

## USDA—FSA

## Long-Term Actions

**237. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Quota Announcement	02/01/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF85**238. 2000-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF86**239. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1999 AND SUCCEEDING YEARS****Priority:** Other Significant**CFR Citation:** 7 CFR 1437**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF90**240. DISASTER SET-ASIDE PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/17/00	65 FR 31248
Interim Final Rule	07/17/00	
Comment Period		
End		
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF91**241. FARM STORAGE FACILITY LOAN PROGRAM****Priority:** Economically Significant.

Major under 5 USC 801.

**CFR Citation:** 7 CFR 1436**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/11/00	65 FR 30345
Interim Final Rule	06/12/00	
Comment Period		
End		
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AG00**242. DESIGNATION OF NON-AUCTION TOBACCO****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1464**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AG07**243. AGRICULTURAL DISASTER AND MARKET ASSISTANCE****Priority:** Economically Significant.

Major under 5 USC 801.

**CFR Citation:** 7 CFR 1411; 7 CFR 1427; 7 CFR 1439; 7 CFR 1464; 7 CFR 1478**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/08/00	65 FR 36550
Interim Final Rule	07/10/00	
Comment Period		
End		
Correction	08/01/00	65 FR 47840
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AG14**244. CLARIFICATION OF CASH FLOW MARGIN REQUIREMENTS FOR FARM SERVICE AGENCY GUARANTEED LOANS****Priority:** Other Significant**CFR Citation:** 7 CFR 762**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AG15

## USDA—FSA

## Long-Term Actions

**245. BIOENERGY PROGRAM**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**CFR Citation:** 7 CFR 1424

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/00	65 FR 46115
NPRM Comment Period End	08/28/00	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0560-AG16

**246. • LAMB MEAT ADJUSTMENT ASSISTANCE PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 7 USC 612c

**CFR Citation:** 7 CFR 784

**Legal Deadline:** None

**Abstract:** This program will provide monetary assistance to eligible sheep and lamb producers who have recently experienced record low prices and poor market conditions due the recent surge of low-priced, imported lamb meat. Lamb meat is being imported into the United States in such increased quantities as to be a substantial cause of threat of serious injury to the domestic lamb meat industry. During the first year of the program, benefits will be provided to eligible sheep and lamb producers throughout the United States based on the number of rams purchased, the number of sheep enrolled in the National Sheep Improvement Program, and the cost of lambing facility improvements during the period August 1, 1999, through July 31, 2000. During the second and third year, benefits will be provided to eligible sheep and lamb producers throughout the United States based on the number of slaughter lamb and feeder lamb marketed, grade, weight, and muscling during the period August 1, 2000, through July 31, 2002. The expected cost is \$30 million.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/19/00	

Action	Date	FR Cite
Interim Final Rule	06/21/00	65 FR 38412
Interim Final Rule Comment Period End	07/21/00	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 0560-AG17

**247. • 2000-CROP AGRICULTURAL DISASTER AND MARKET ASSISTANCE**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**Legal Authority:** PL 106-224

**CFR Citation:** 7 CFR 1411; 7 CFR 1421; 7 CFR 1427; 7 CFR 1434; 7 CFR 1439

**Legal Deadline:** Final, Statutory, October 18, 2000, The statute requires that regulations be promulgated within 120 days of the date of enactment, which was 6/20/00.

**Abstract:** The Agricultural Risk Protection Act of 2000 provides for disaster and market assistance for agricultural producers. This action will implement the following provisions of the Act:

1. Oilseeds Payments (sec. 202),
2. Peanut Marketing Assistance (sec. 204(a)),
3. Honey Recourse Loans (sec. 204(c)),
4. Expansion of Producers Eligible for Loan Deficiency Payments (sec. 206), and
5. Crop and Pasture Flood Compensation Program (sec. 257).

Other provisions of the Act will be implemented in separate regulations. Section 263 of the Act provides that the regulations implementing title II be promulgated and the programs administered without regard to the notice and comment provisions of 5

U.S.C. 553, the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), the Paperwork Reduction Act, and the 60-day waiting period for Congressional Review under section 801 of 5 U.S.C. 553. The expected cost is \$637.6 million.

**Timetable:**

Action	Date	FR Cite
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0560-AG18

**248. • MARKET ASSISTANCE FOR TOBACCO, WOOL AND MOHAIR, AND COTTONSEED**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**Legal Authority:** PL 106-224

**CFR Citation:** 7 CFR 1427; 7 CFR 1464; 7 CFR 1469

**Legal Deadline:** Final, Statutory, October 18, 2000, The statute requires implementation within 120 days of enactment, which was 6/20/00.

**Abstract:** The Agricultural Risk Protection Act of 2000, enacted on June 20, 2000, provides for market assistance for agricultural producers. This action will implement the following provisions of the Act: Tobacco Loss Assistance (sec. 204(b)), Wool and Mohair Payments (sec. 204(d)), and Cottonseed Payments (sec. 204(e)). Section 263 of the Act provides that the regulations implementing title II be promulgated without regard to the notice and comment provisions of 5 U.S.C. 553, the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), the Paperwork Reduction Act, and the 60-day waiting period for Congressional Review under section 801 of 5 U.S.C. 553. The expected cost is \$450.5 million.

## USDA—FSA

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG19

**249. • AMENDMENTS TO THE TOBACCO PROGRAM REGULATIONS****Priority:** Other Significant**Legal Authority:** PL 106-224**CFR Citation:** 7 CFR 723**Legal Deadline:** Final, Statutory, October 18, 2000.

**Abstract:** This action will implement the provisions of Public Law 106-124 regarding the lease, transfer, and sale of burley tobacco marketing quotas and allotments.

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG21

**250. • 2001 GRAZING LOAN DEFICIENCY PAYMENTS****Priority:** Other Significant**Legal Authority:** PL 106-224**CFR Citation:** 7 CFR 1421**Legal Deadline:** Final, Statutory, October 18, 2000, The statute requires

implementation within 120 days of enactment, which was 6/20/00.

**Abstract:** Section 205 of the Agricultural Risk Protection Act of 2000 provides that producers of 2001-crop wheat, barley, or oats, who are eligible for a loan deficiency payment (LDP) but elect to use acreage planted to wheat, barley, or oats for grazing of livestock, will be eligible for a payment. The producer will enter into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage. Other provisions of the Act will be implemented in separate regulations. Section 263 of the Act provides that the regulations shall be promulgated without regard to the notice and comment provisions of 5 U.S.C. 553, the Statement of Policy of the Secretary of Agriculture effective July 21, 1971 (36 FR 13804), the Paperwork Reduction Act, and the 60-day waiting period for Congressional Review under section 801 of 5 U.S.C. 553. The expected cost is \$59.4 million.

**Timetable:**

Action	Date	FR Cite
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG22

**251. HANDLING PAYMENTS FROM THE FARM SERVICE AGENCY TO DELINQUENT FARM CREDIT PROGRAM BORROWERS****Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/01/97	62 FR 41794
Interim Final Rule Comment Period End	08/30/97	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 0560-AG24**252. • NORTHEAST INTERSTATE DAIRY COMPACT****Priority:** Other Significant**Legal Authority:** 7 USC 7252**CFR Citation:** 7 CFR 1430**Legal Deadline:** None

**Abstract:** The Federal Agriculture Improvement and Reform Act of 1996 requires USDA, through the Commodity Credit Corporation (CCC), to determine if the Northeast Dairy Compact Commission must compensate CCC for the cost of any purchases of dairy products that result from the projected rate of increase in milk production for the fiscal year within the Compact region in excess of the projected national average rate of increase in milk production. The proposed rule would describe the procedures and/or formula for determining the liability of the Northeast Dairy Compact Commission to CCC. The expected cost will be about \$2 million per year to the Northeast Compact.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG25

## USDA—FSA

## Long-Term Actions

**253. • EMERGENCY CONSERVATION PROGRAM****Priority:** Other Significant**Legal Authority:** Soil Conservation and Domestic Allotment Act of 1936, as amended; Cooperative Forestry Assistance Act of 1978; Agricultural Credit Act of 1978**CFR Citation:** 7 CFR 701**Legal Deadline:** None

**Abstract:** This action will provide revised regulations for the Emergency Conservation Program (ECP) that would: 1) Clarify that assistance can be made available for certain measures dealing with confined livestock; 2) assure special consideration for limited resource producers; 3) provide for a 60-percent cost-share rate to be applied to all costs associated with the practice rather than the 3-tiered model currently used, to avoid confusion and make the program easier to administer; and 4) include the "per person" maximum payment limitation of \$200,000 that has previously only been in appropriation bills. This action will also remove regulations for the Agricultural Conservation Program (ACP), for which authority was repealed by the Federal Agriculture Improvement and Reform Act of 1996. Many of the practices performed under the ACP are now administered through the Environmental Quality Incentives Program (EQIP) jointly administered by NRCS and FSA. And, this action will remove regulations for the Forestry Incentive Program (FIP) because the program was reassigned from FSA to NRCS under provisions of the Department of Agriculture Reorganization Act of 1994, 7 U.S.C. 6912, and is no longer administered under 7 CFR part 701. No additional costs are expected from this action.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG26**254. • SUGAR PAYMENT-IN-KIND PROGRAM****Priority:** Economically Significant**Legal Authority:** 7 USC 1308a**CFR Citation:** 7 CFR 1435**Legal Deadline:** None

**Abstract:** This rule implements a Payment-In-Kind (PIK) Program to trade CCC's FY 2000 sugar inventory to producers in return for a reduction in the harvest of the current (2000) crop of sugarcane and sugar beets. The Commodity Credit Corporation (CCC) has acquired 132,000 tons of refined sugar and is expected to acquire at least another 200,000 tons in FY 2000 through nonrecourse loan forfeitures or direct purchases. USDA forecasts that the FY 2001 domestic sugar market will also be oversupplied. The PIK program is expected to reduce CCC expenditures. Several alternative disposal plans have been considered and eliminated, at least in the short term, due to projected negative impacts on domestic commodity markets or increased distribution costs. These alternative disposal options include resale to the domestic market, sale to ethanol manufacturers, and donation to overseas feeding programs. The PIK program will save CCC \$264,000 a month in sugar storage costs for the current 132,000-ton sugar inventory and may save \$62.5 million in FY 2001 forfeiture costs if nonrecourse loans are offered as expected due to GATT and NAFTA requirements.

**Timetable:**

Action	Date	FR Cite
Notice	08/23/00	65 FR 51280
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG27**255. • 2001-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO****Priority:** Other Significant**Legal Authority:** 7 USC 1314; 7 USC 1445**CFR Citation:** 7 CFR 723; 7 CFR 1464**Legal Deadline:** Other, Statutory, December 15, 2000, Quota Announcement.

**Abstract:** The flue-cured tobacco marketing and price support are required by statute. The purpose of the quota and price support is to balance supply with demand at levels assuring stable supplies for domestic and export use at prices that are considered sufficient for producers. The national quota is based on cigarette manufactures' intentions, 3-year average exports, loan stocks adjustments, and a discretionary adjustment of plus or minus 3 percent. The price support level is based on a formula that averages market prices (2/3 weight) and cost index (1/3 weight), plus discretion to limit any increase to 65 percent of the formula increase. A referendum for this kind of tobacco is scheduled for January 2001. Net receipts of \$100 million in FY 2001 and 2002 are expected to be offset by loan repayments and no-net-cost assessments in FY 2002 and subsequent years, for a net cost of 0.

**Timetable:**

Action	Date	FR Cite
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG28

## USDA—FSA

## Long-Term Actions

**256. • 2001-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**Legal Authority:** 7 USC 1314; 7 USC 1445**CFR Citation:** 7 CFR 723; 7 CFR 1464**Legal Deadline:** Other, Statutory, February 1, 2001, Quota Announcement.

**Abstract:** The burley tobacco marketing quota and price support are required by statute. The purpose of the quota and price support is to balance supply with demand at levels assuring stable supplies for domestic and export use at prices that are considered sufficient for producers. The national quota is based on cigarette manufactures' intentions, 3-year average exports, loan stocks adjustments, and a discretionary adjustment of plus or minus 3 percent. The price support level is based on a formula that averages market prices (2/3 weight) and cost index (1/3 weight), plus discretion to limit any increase to 65 percent of the formula increase. A referendum for this kind of tobacco is scheduled for February 2001. Net receipts of \$100 million in FY 2002 are expected to be offset by loan repayments and no-net-cost assessments in FY 2002 and subsequent years, for a net cost of 0.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 0560-AG29**257. • 2001-CROP MARKETING AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**Legal Authority:** 7 USC 1312; 7 USC 1445**CFR Citation:** 7 CFR 723; 7 CFR 1464**Legal Deadline:** Other, Statutory, March 1, 2001, Quota Announcement.

**Abstract:** Marketing quotas/acreage allotments and price support are required by statute for these kinds of tobacco: Fire-cured (type 21), fire-cured (types 22-23), dark air-cured (types 35-36), Virginia sun-cured (type 37), and cigar filler and binder (types 42-44 and 53-55). Quotas and allotments are determined by statutory formula to balance supply with demand to assure stable supplies for domestic and export use. Marketing quotas are implemented if approved by producers in referenda. Producers approved quotas for the 2001 crops of fire-cured (types 21-23), dark air-cured (types 35-36), and cigar filler and binder (types 42-44 and 53-55) in March 1998 and 1999. A referendum for sun-cured (type 37) is scheduled for March 2001. Producers of these types have historically voted in favor of quotas. Price support levels are set by statutory formula. The Secretary may reduce the level at the request of producer associations and may limit increases to 65 percent of the formula increase. Gross loan outlays of \$1 million are expected in FY 2002, to be offset by loan redemptions and no-net-cost assessments in FY 2002 and subsequent years, for a net cost of 0.

**Timetable:**

Action	Date	FR Cite
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
Phone: 202 205-5851  
Fax: 202 720-5233  
Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AG30**258. • 2001-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES FOR 2001-CROP QUOTA AND ADDITIONAL PEANUTS AND MINIMUM EXPORT EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS****Priority:** Other Significant**Legal Authority:** 7 USC 1358-1; PL 101-624; PL 103-66; PL 104-127**CFR Citation:** 7 CFR 729; 7 CFR 1421; 7 CFR 1446**Legal Deadline:** Other, Statutory, December 15, 2000, Quota Announcement.

**Abstract:** The objective of the peanut quota is to balance supply with demand at a level that will assure stable supplies for domestic use and assure producers of a stable income. This action is required by statute, which provides a formula for computing the national quota, based on the Secretary's estimate of the amount of peanuts required for domestic food and related uses for the 2001 marketing year. The 2001 marketing year is from August 1, 2001, through July 31, 2002. The program, which includes the poundage quota, price support, and export policies, will result in gross outlays of \$42.6 million that are expected to be offset by repayments and assessments in FY 2002 and subsequent years, for a net cost 0.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
Phone: 202 205-5851  
Fax: 202 720-5233  
Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AG31

**Department of Agriculture (USDA)**  
**Farm Service Agency (FSA)**
**Completed Actions**
**259. INAPPLICABILITY TO FSA'S FARM LOAN PROGRAMS OF REDUNDANT INSTRUCTIONS REGARDING THE COLLECTION AND DEPOSITING OF PROGRAM PAYMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1951

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AF60	08/17/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF34

**260. 1999-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 723; 7 CFR 1464

**Completed:**

Reason	Date	FR Cite
Final Rule	07/06/00	65 FR 41551

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF51

**261. DEBT SETTLEMENT OF THE FARM LOAN PROGRAM'S NONPROGRAM LOANS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1956

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/27/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF54

**262. SERVICING SHARED APPRECIATION AGREEMENTS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1951

**Completed:**

Reason	Date	FR Cite
Final Action	08/18/00	65 FR 50401

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF78

**263. METHOD OF CALCULATION OF LOAN DEFICIENCY PAYMENT RATES**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1421

**Completed:**

Reason	Date	FR Cite
Withdrawn	10/24/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF87

**264. DEBT SETTLEMENT OF FARM LOAN PROGRAM LOANS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1956

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/27/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF88

**265. AMENDMENT TO THE FARM LOAN PROGRAM REGARDING THE TIME PERIOD FOR REQUESTS FOR DEBT SETTLEMENT**

**Priority:** Info./Admin./Other

**CFR Citation:** 7 CFR 1951-S

**Completed:**

Reason	Date	FR Cite
Final Rule	11/18/99	64 FR 62971

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF89

**266. 2000 DAIRY INDEMNITY PAYMENT PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 760

**Completed:**

Reason	Date	FR Cite
Final Rule	11/24/99	64 FR 66095

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

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Email: tom\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AG10

**BILLING CODE 3410-05-S**

Department of Agriculture (USDA)

Proposed Rule Stage

Animal and Plant Health Inspection Service (APHIS)

**267. PLANT PEST REGULATIONS; UPDATE OF CURRENT PROVISIONS (SECTION 610 REVIEW)**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** title IV of PL 106-224; 7 USC 450 and 2260; 19 USC 1306; 21 USC 111, 114a, 136 and 136a; 31 USC 9701; 42 USC 4331 and 4332

**CFR Citation:** 7 CFR 330

**Legal Deadline:** None

**Abstract:** APHIS is undertaking rulemaking to amend its plant pest regulations by: (1) Setting out the criteria that will be used by APHIS when considering whether an organism is a plant pest; (2) adding a permit category for organisms that would be released into the environment for purposes such as the biological control of weeds; (3) establishing a notification system that could be used in place of permits for the importation and interstate movement of regulated organisms; and (4) revising or amending existing portions of the regulations to clarify or update requirements, eliminate redundancy, and make the regulations easier for the public to use. This action will serve as a follow-up to the advance notice of proposed rulemaking that APHIS published in the Federal Register on September 27, 1996, to solicit input on the need for regulatory changes and alternative methods of addressing plant pest risk.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/27/96	61 FR 50767
ANPRM Comment Period End	12/26/96	
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Robert Flanders, Regulatory Coordination Specialist, Regulatory Coordination Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228

Phone: 301 734-5930

**RIN:** 0579-AA80

**268. KARNAL BUNT**

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; 7 USC 166

**CFR Citation:** 7 CFR 301

**Legal Deadline:** None

**Abstract:** Karnal bunt is a fungal disease of wheat (*Triticum aestivum*), durum wheat (*Triticum durum*), and triticale (*Triticum aestivum* x *Secale cereale*), a hybrid of wheat and rye. In the absence of measures taken by the U.S. Department of Agriculture, the establishment of Karnal bunt in the United States would have significant consequences with regard to the export of wheat to international markets. Prior to March 8, 1996, Karnal bunt was not known to exist in the United States. Since March 8, 1996, Karnal bunt has been detected within several States. In response, we have established regulations that define regulated areas in certain States because of Karnal bunt, restrict the movement of certain articles from the regulated areas to prevent the spread of Karnal bunt, and provide compensation for certain growers, handlers, and other individuals in the regulated areas to mitigate losses and expenses incurred because of actions taken by the Secretary to prevent the spread of Karnal bunt. As part of a continuing Karnal bunt program, we anticipate that the regulations concerning regulated areas, movement restrictions, and compensation will be revised as more is known about the Karnal bunt situation in the United States.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35102
NPRM	08/02/96	61 FR 40354
NPRM Comment Period End	09/03/96	
Final Rule Classifying Regulated Areas, Movement of Regulated Articles	10/04/96	61 FR 52190
Interim Final Rule Change Classification of Regulated Areas	05/01/97	62 FR 23620
Final Rule Compensation for 1995-96 Crop Season	05/06/97	62 FR 24746

Action	Date	FR Cite
NPRM Compensation for 1996-97 Crop Season	07/11/97	62 FR 37159
NPRM Compensation for Wheat Seed and Straw, 1995-96 Crop Season	07/30/97	62 FR 40756
Interim Final Rule Additions to Regulated Areas	11/24/97	62 FR 62504
Interim Final Rule Approved Treatments	12/05/97	62 FR 64263
Final Rule Compensation for Wheat Seed and Straw, 1995-96 Crop Season	01/09/98	63 FR 1321
NPRM Movement From Regulated Areas	01/28/98	63 FR 4198
Final Rule Compensation for 1996-97 Crop Season	06/10/98	63 FR 31593
AIR as Final Rule Approved Treatments	09/04/98	63 FR 47127
Final Rule Movement From Regulated Areas	09/23/98	63 FR 50747
NPRM Compensation for the 1997-98 Crop Season	12/17/98	63 FR 69563
NPRM Reclassification of Regulated Areas	03/09/99	64 FR 11392
NPRM Reclassification of Regulated Areas Comment Period End	04/08/99	64 FR 11392
Final Rule Reclassification of Regulated Areas	05/04/99	64 FR 23749
Final Rule Change Classification of Regulated Areas	06/02/99	64 FR 29541
Final Rule Compensation for the 1997-98 Crop Season	06/25/99	64 FR 34109
Proposed Rule Compensation for the 1999-2000 Crop Season	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Dr. Vedpal Malik, National Karnal Bunt Coordinator, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit



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## Proposed Rule Stage

134, 4700 River Road, Riverdale, MD  
20737-1236  
Phone: 301 734-6774  
RIN: 0579-AA83

**269. IMPORTATION OF FUJI APPLES FROM THE REPUBLIC OF KOREA**

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; 7 USC 166; 7 USC 450; 21 USC 136 to 136a

**CFR Citation:** 7 CFR 319

**Legal Deadline:** None

**Abstract:** This action would amend the regulations that allow Fuji variety apples to be imported into the United States. It would allow Fuji variety apples to be imported from the Republic of Korea under a systems approach, including strict cultural control conditions, from certified orchards. This action is in response to a request from the Republic of Korea. We reviewed scientific studies and data on the Republic of Korea's pest management practices in export orchards and believe that the conditions to which the importation of Fuji variety apples from the Republic of Korea would be subject would reduce the risk of pest introduction to an insignificant level.

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/00	65 FR 24423
NPRM Comment Period End	06/26/00	
NPRM Comment Period Extended	10/23/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6799  
RIN: 0579-AA93

**270. ANIMAL WELFARE; INSPECTION, LICENSING, AND PROCUREMENT OF ANIMALS (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2131 to 2159

**CFR Citation:** 9 CFR 1 and 2

**Legal Deadline:** None

**Abstract:** This action would make several amendments to the Animal Welfare Act regulations to clarify them and improve their enforceability. In addition, it would amend a number of administrative procedures to make them more efficient. We believe these actions are necessary to help ensure compliance with the regulations and the Animal Welfare Act.

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/00	65 FR 47908
NPRM Comment Period End	10/03/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234  
Phone: 301 734-7833

RIN: 0579-AA94

**271. RESTRICTIONS ON THE IMPORTATION OF RUMINANTS, MEAT AND MEAT PRODUCTS FROM RUMINANTS, AND CERTAIN OTHER RUMINANT PRODUCTS**

**Priority:** Other Significant

**Legal Authority:** 21 USC 135 to 136; 21 USC 136a; 31 USC 9701; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114a; 21 USC 134a to 134d; 21 USC 134f

**CFR Citation:** 9 CFR 93.404(c); 9 CFR 94.18; 9 CFR 95.4(a); 9 CFR 96.2(b)

**Legal Deadline:** None

**Abstract:** This action would relieve restrictions with regard to BSE on the importation from certain countries of ruminants and meat, meat products, and other edible products of ruminants and relieve some restrictions on the importation of meat from ruminants of the family Cervidae.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231  
Phone: 301 734-8590

RIN: 0579-AA98

**272. IMPORTATION OF SOLID WOOD PACKING MATERIAL**

**Regulatory Plan:** This entry is Seq. No. 2 in Part II of this issue of the **Federal Register**.

RIN: 0579-AA99

**273. • BLOOD AND TISSUE COLLECTION AT SHEEP AND GOAT SLAUGHTERING ESTABLISHMENTS**

**Priority:** Other Significant

**Legal Authority:** 21 USC 111 to 113, 114a, 114a-1, 115 to 117, 120 to 126, 134b, and 134f

**CFR Citation:** 9 CFR 71

**Legal Deadline:** None

**Abstract:** We are considering establishing requirements for the collection of blood and tissue samples from livestock (horses, cattle, bison, sheep, and swine) and poultry at slaughter establishments when it is necessary for disease surveillance. Under this proposal, any person who moves an animal interstate for slaughter could only move the animal to a slaughter establishment that has been approved by the Administrator. The Administrator would approve a slaughter establishment after determining that it is not necessary to conduct testing at the establishment or determining that it is necessary to conduct testing at the establishment and the establishment provides space and facilities to collect blood and tissue samples for disease testing. This collection of blood and tissue samples would enable us to identify animals at slaughter that are affected by various communicable diseases. This change would affect persons moving animals interstate for slaughter, slaughter plants that receive animals in interstate commerce, and in cases where an animal that tests positive can be successfully traced back to its herd or flock of origin, the owners of such herds or flocks. The long-term effects

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of this change would be to improve surveillance programs for animal diseases, and to contribute to the eventual control or eradication of such diseases.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Diane Sutton, Senior Staff Veterinarian, VS, National Animal Health Programs, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 43, Riverdale, MD 20737-1231  
Phone: 301 734-4363

**RIN:** 0579-AB13

#### 274. • CITRUS CANKER; COMMERCIAL CITRUS TREE REPLACEMENT PROGRAM

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; PL 106-113

**CFR Citation:** 7 CFR 301.75-15

**Legal Deadline:** None

**Abstract:** APHIS is proposing to amend its citrus canker regulations to provide for the payment of funds to certain owners of commercial citrus groves for the cost of tree replacement when all or part of a grove was destroyed in order to control citrus canker. Provisions for the payment of these funds were contained in the Consolidated Appropriations Act for FY 2000 (Pub. L. 106-113). The payment of these funds is intended to reduce the economic effect of the citrus canker quarantine on affected commercial citrus growers in Florida.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Stephen R. Poe, Operations Officer, Program Support Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-8247

**RIN:** 0579-AB15

#### 275. • IMPORTATION OF BEEF FROM BRAZIL

**Priority:** Other Significant

**Legal Authority:** 19 USC 1306; 21 USC 111; 21 USC 114a

**CFR Citation:** 9 CFR 94

**Legal Deadline:** None

**Abstract:** This proposed rule would allow, under certain conditions, the importation of fresh (chilled or frozen) beef into the United States from the States of Rio Grande do Sul and Santa Catarina in Brazil.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Glen Garris, Supervisory Staff Officer, Regionalization Evaluation Services, NCIE, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231  
Phone: 301 734-4356

**RIN:** 0579-AB16

#### 276. • IMPORTATION OF UNSHU ORANGES

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; 21 USC 136 and 136a; 7 USC 166; 7 USC 450

**CFR Citation:** 7 CFR 319.28

**Legal Deadline:** None

**Abstract:** We are proposing to amend the regulations governing the importation of citrus fruit to allow, under certain conditions, Unshu oranges grown on Kyushu Island, Japan, to be imported into the United States. We are also proposing to amend the regulations for importing Unshu oranges from Honshu Island, Japan, by requiring fumigation using methyl bromide prior to exportation and by allowing the fruit to be imported into commercial citrus-producing areas of the United States. In addition, we are

proposing to remove the requirement for individually wrapping Unshu oranges imported from Japan or the Republic of Korea. These actions would relieve restrictions on the importation into and distribution within the United States of Unshu oranges without presenting a significant risk of introducing citrus canker or other diseases or pests of plants.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/01	
NPRM Comment Period End	04/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Inder Paul Gadh, Senior Staff Officer, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6799

**RIN:** 0579-AB17

#### 277. • PHYTOSANITARY CERTIFICATES FOR IMPORTED FRUITS AND VEGETABLES

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; 7 USC 166 and 450; 21 USC 136 and 136a

**CFR Citation:** 7 CFR 319.56 through 319.56-8

**Legal Deadline:** None

**Abstract:** Currently APHIS does not require a phytosanitary certificate to accompany fruits and vegetables imported into the United States except for certain fruits and vegetables grown in designated foreign regions. This proposed rule would amend our regulations to require that a phytosanitary certificate accompany all fruits and vegetables imported into the United States, with certain exceptions. This proposal would include commercial produce imported into the United States, as well as fruits and vegetables brought in by travelers. We would exempt from this requirement fruits and vegetables that are dried, cured, frozen, or processed, as well as fruits and vegetables that travelers and shoppers bring into the United States

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for personal use through land ports-of-entry located along the Canadian and Mexican borders. If implemented, this proposal would require changes in the practices of importers and travelers who bring produce into the United States from other countries.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Wayne Burnett, Senior Import Specialist, PIM, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799

**RIN:** 0579-AB18

**278. • BEES, BEEKEEPING BYPRODUCTS, AND BEEKEEPING EQUIPMENT (SECTION 610 REVIEW)**

**Priority:** Other Significant

**Legal Authority:** title IV of PL 106-224; 7 USC 281

**CFR Citation:** 7 CFR 319; 7 CFR 322

**Legal Deadline:** None

**Abstract:** We propose to revise the regulations for the importation of honeybees and honeybee semen. Among other things, we propose to allow, under certain conditions, the importation into the United States of honeybees from Australia and honeybees and honeybee germ plasm from New Zealand. We also propose changes to make these regulations more consistent with standards established by the Office International des Epizooties, to update them to reflect current research and terminology, and to simplify them and make them more useful.

In addition, we propose to combine the regulations for the importation of honeybees and honeybee semen with the regulations established to prevent the introduction of exotic bee diseases and parasites through the importation of bees other than honeybees, certain beekeeping byproducts, and used beekeeping equipment. This change would make the regulations more

useful by consolidating all of the requirements related to the importation of bees, beekeeping byproducts, and used beekeeping equipment into one part.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Robert Flanders, Regulatory Coordination Specialist, Regulatory Coordination Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228

Phone: 301 734-5930

**RIN:** 0579-AB20

**279. • EXPORTATION OF LIVESTOCK (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 105; 21 USC 112; 21 USC 113; 21 USC 114a; 21 USC 120; 21 USC 121; 21 USC 134b; 21 USC 134f; 21 USC 136; 21 USC 136a; 21 USC 612; 21 USC 613; 21 USC 614; 21 USC 618; 46 USC 466a and 466b; 49 USC 1509(d)

**CFR Citation:** 9 CFR 91

**Legal Deadline:** None

**Abstract:** Cyclical review of 9 CFR part 91 "Importation and Handling of Livestock for Exportation." We will propose specific changes after we thoroughly review the existing requirements. At this time, we do not know the potential cost and benefits.

**Timetable:**

Action	Date	FR Cite
Proposed Rule	06/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Najam Faizi, Senior Staff Veterinarian, National Center for Import and Export, VS,

Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-4356

**RIN:** 0579-AB21

**280. • VETERINARY DIAGNOSTIC USER FEES—5 YEAR PLAN FOR FEES (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5542; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114 and 114a; 21 USC 134a; 21 USC 134b; 21 USC 134c; 21 USC 134d; 21 USC 134f; 21 USC 135; 21 USC 136 and 136a; 31 USC 3701; 31 USC 3716; 31 USC 3717; 31 USC 3719; 31 USC 3720A

**CFR Citation:** 9 CFR 130

**Legal Deadline:** None

**Abstract:** We are proposing user fees for multiple fiscal years for APHIS' Veterinary Services' veterinary diagnostic user fee goods and services. The proposed fees would potentially be effective mid-FY 2001 through FY 2005. We are proposing this action in order to ensure that we recover the full costs of providing these goods and services.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Donna Ford, User Fee Section Head, FSSB, BASE, MRPBS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-8351

**RIN:** 0579-AB22

**281. • NURSERY STOCK REGULATIONS (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** title IV of PL 106-224; 7 USC 166 and 450

**CFR Citation:** 7 CFR 300; 7 CFR 319

**Legal Deadline:** None

**Abstract:** We are proposing to amend the regulations for importing nursery

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stock to provide additional treatment certifications for the importation of niger seed and lilac, to reflect recent changes in plant taxonomy and pest distributions, and to make various changes to the requirements for postentry quarantine of imported plants. We are also proposing several other amendments to update and clarify the regulations and improve their effectiveness.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Wayne Burnett, Senior Import Specialist, PIM, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799

**RIN:** 0579-AB23

**282. • ANIMAL WELFARE—STANDARDS FOR MARINE MAMMALS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 2131 to 2159

**CFR Citation:** 9 CFR 3

**Legal Deadline:** None

**Abstract:** The Department of Agriculture regulates the treatment of certain marine mammals under the Animal Welfare Act. The present standards for treatment of these animals have been in effect for over 10 years. During this time, advances have been made and new information has been developed with regard to the housing and care of marine mammals. In addition to identifying regulatory provisions for revision based on negotiated rulemaking (described separately), the Department is

conducting separate rulemaking to establish standards governing "swim with the dolphins" (SWTD) programs and to propose changes to the marine mammal standards on which consensus was not reached during negotiated rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM Marine Mammals (SWTD and other)	04/00/01	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234

Phone: 301 734-7833

**RIN:** 0579-AB24

## Department of Agriculture (USDA)

## Final Rule Stage

## Animal and Plant Health Inspection Service (APHIS)

**283. ANIMAL WELFARE—STANDARDS FOR MARINE MAMMALS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 2131 to 2159

**CFR Citation:** 9 CFR 3

**Legal Deadline:** None

**Abstract:** The Department regulates the treatment of certain marine mammals under the Animal Welfare Act. The present standards for treatment of these animals have been in effect for over 10 years. During this time, advances have been made and new information has been developed with regard to the housing and care of marine mammals. The Department has conducted negotiated rulemaking (Reg Neg) to develop changes to the regulations based on the consensus reached by the negotiated rulemaking committee.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/23/93	58 FR 39458
ANPRM Comment Period End	10/06/93	
NPRM Swim with the Dolphins (SWTD)	01/23/95	60 FR 4383
NPRM Comment Period End	02/22/95	

Action	Date	FR Cite
NPRM Comment Period Extended (SWTD)	02/28/95	60 FR 10810
NPRM Comment Period Extended (SWTD)	03/09/95	
NPRM Comment Period Extended (SWTD)	03/24/95	
Notice--Establish a Committee (Reg Neg)	05/22/95	60 FR 27049
Correction (Reg Neg)	06/02/95	60 FR 28834
Final Rule (SWTD)	09/04/98	63 FR 47128
Applicability of Regulations	10/14/98	63 FR 55012
NPRM Animal Welfare; Marine Mammals (Reg Neg)	02/23/99	64 FR 8735
Suspension of Enforcement of September 1998 SWTD Final Rule	04/02/99	64 FR 15918
Suspension of Enforcement of September 1998 SWTD Final Rule Effective	04/02/99	64 FR 15918
NPRM Comment Period End (Reg Neg)	05/26/99	

Action	Date	FR Cite
Suspension of Enforcement of September 1998 SWTD Final Rule Comment Period End	06/01/99	64 FR 15918
Final Rule Animal Welfare; Marine Mammals (Reg Neg)	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234

Phone: 301 734-7833

**RIN:** 0579-AA59

## USDA—APHIS

## Final Rule Stage

**284. INTERSTATE MOVEMENT OF SHEEP AND GOATS FROM STATES THAT DO NOT QUARANTINE SCRAPIE-INFECTED AND SOURCE FLOCKS (SECTION 610 REVIEW)****Priority:** Other Significant**Legal Authority:** 21 USC 111 to 114; 21 USC 114a; 21 USC 115; 21 USC 117; 21 USC 120 to 121; 21 USC 123 to 126; 21 USC 134a to 134h**CFR Citation:** 9 CFR 54; 9 CFR 79**Legal Deadline:** None

**Abstract:** After soliciting public comment to help us develop options for potential changes to our regulations for the interstate movement of sheep and goats, we believe changes are necessary to improve control and limit the spread of scrapie, a serious disease of sheep and goats. We are undertaking rulemaking to correlate Federal interstate movement restrictions with the effectiveness of individual State scrapie programs.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/26/98	63 FR 3671
ANPRM Comment Period End	03/27/98	
NPRM	11/30/99	64 FR 66791
NPRM Comment Period End	01/14/00	
NPRM (reproposal)	08/15/00	65 FR 49770
NPRM Comment Period End	09/14/00	
Final Action	12/00/00	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Diane Sutton, Senior Staff Veterinarian, VS, National Animal Health Programs, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 43, Riverdale, MD 20737-1231  
Phone: 301 734-4363

**RIN:** 0579-AA90**285. IRRADIATION PHYTOSANITARY TREATMENT OF IMPORTED FRESH FRUITS AND VEGETABLES****Priority:** Other Significant**Legal Authority:** title IV of PL 106-224**CFR Citation:** 7 CFR 305; 7 CFR 319.56**Legal Deadline:** None

**Abstract:** This rulemaking would establish irradiation as a new treatment

alternative for the importation of certain fresh fruits and vegetables. Irradiation would be allowed as an alternative to mitigation measures that are required to control certain species of fruit flies in a variety of imported fruits and vegetables. If this proposal is adopted, importers of certain fruits and vegetables will have an additional alternative to the currently approved treatments, such as fumigation and cold treatment, for treating their articles. No net societal gains and losses other than small price-related changes are expected from this proposed rule change.

**Timetable:**

Action	Date	FR Cite
Policy Statement for Irradiation Treatment of Fresh Fruits and Vegetables	05/15/98	63 FR 24433
NPRM	05/26/00	65 FR 34113
NPRM Comment Period End	07/25/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6799

**RIN:** 0579-AA97**286. COMMERCIAL TRANSPORTATION OF EQUINES TO SLAUGHTER****Priority:** Other Significant**Legal Authority:** 7 USC 1901**CFR Citation:** 9 CFR 88 (New)**Legal Deadline:** None

**Abstract:** This action would establish regulations pertaining to the commercial transportation of equines to slaughter. The purpose of these regulations is to establish minimum standards to ensure the humane movement of equines to slaughter via commercial transportation. We are proposing these regulations to fulfill our responsibility under the 1996 Farm Bill to regulate the commercial transportation of equines to slaughter by persons regularly engaged in that activity within the United States.

**Timetable:**

Action	Date	FR Cite
NPRM	05/19/99	64 FR 27210
NPRM Comment Period End	07/19/99	
Final Rule	12/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Dr. Timothy R. Cordes, Senior Staff Veterinarian, National Animal Health Programs, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 43, 4700 River Road, Riverdale, MD 20737-1231  
Phone: 301 734-3279

**RIN:** 0579-AB06**287. • PLUM POX COMPENSATION****Priority:** Other Significant**Legal Authority:** title IV of PL 106-224; 7 USC 166**CFR Citation:** 7 CFR 301.74-5**Legal Deadline:** None

**Abstract:** APHIS is amending its plum pox regulations to provide for the payment of compensation to the owners of commercial stone fruit orchards and fruit tree nurseries who had stone fruit trees or nursery stock destroyed in order to control plum pox. The payment of these funds is necessary in order to reduce the economic impact of the plum pox quarantine on affected commercial stone fruit growers and fruit tree nursery owners.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/14/00	65 FR 55431
Interim Final Rule Comment Period End	11/13/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Stephen R. Poe, Operations Officer, Program Support Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-8247

**RIN:** 0579-AB19

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service (APHIS)**
**Long-Term Actions**
**288. IMPORTATION OF CERTAIN EMBRYOS AND ANIMAL SEMEN (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 9 CFR 98

**Timetable:**

Action	Date	FR Cite
ANPRM	07/08/93	58 FR 36625
ANPRM Comment Period End	09/07/93	
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Roger Perkins  
Phone: 301 734-8364

**RIN:** 0579-AA63

**289. REQUIRING TREATMENT OF SOLID WOOD PACKING MATERIAL FROM CHINA**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**CFR Citation:** 7 CFR 319.40

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/18/98	63 FR 50100
Interim Final Rule Comment Period End	11/17/98	
Interim Final Rule	12/17/98	63 FR 69539
Interim Final Rule Effective	12/17/98	
Interim Final Rule Comment Period End	02/16/99	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Robert Flanders  
Phone: 301 734-5930

**RIN:** 0579-AB01

**290. IMPORTATION OF UNMANUFACTURED WOOD ARTICLES FROM MEXICO**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 319.40

**Timetable:**

Action	Date	FR Cite
NPRM	06/11/99	64 FR 31512

Action	Date	FR Cite
NPRM Comment Period End	08/10/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jane E. Levy  
Phone: 301 734-8295

**RIN:** 0579-AB02

**291. ESTABLISHMENT OF REGIONS IN THE EUROPEAN UNION FOR HOG CHOLERA, FOOT-AND-MOUTH DISEASE, AND SWINE VESICULAR DISEASE**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 92; 9 CFR 94; 9 CFR 98

**Timetable:**

Action	Date	FR Cite
NPRM	06/25/99	64 FR 34155
NPRM Comment Period End	08/24/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Gary Colgrove  
Phone: 301 734-8590

**RIN:** 0579-AB03

**292. HORSE PROTECTION; HORSE INDUSTRY ORGANIZATIONS**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 11

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Willems  
Phone: 919 716-5544

**RIN:** 0579-AB04

**293. NOXIOUS WEEDS; WEED CATEGORIES AND PRIORITIES (SECTION 610 REVIEW)**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 360; 7 CFR 361

**Timetable:**

Action	Date	FR Cite
ANPRM	03/20/00	65 FR 14927
ANPRM Comment Period End	05/19/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Polly Lehtonen  
Phone: 301 734-8896

**RIN:** 0579-AB07

**294. NOXIOUS WEEDS; RESTRICTIONS ON INTERSTATE MOVEMENT**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 360.300

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/29/99	64 FR 41007
Interim Final Rule Comment Period End	09/27/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Randy Westbrooks  
Phone: 910 648-6762

**RIN:** 0579-AB08

**295. AQUACULTURE; FARM-RAISED FIN FISH**

**Priority:** Other Significant

**CFR Citation:** Not Yet Determined

**Timetable:**

Action	Date	FR Cite
ANPRM	05/04/99	64 FR 23795
ANPRM Comment Period End	07/06/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Otis Miller  
Phone: 301 734-6188

**RIN:** 0579-AB09

## USDA—APHIS

## Long-Term Actions

**296. PSEUDORABIES IN SWINE;  
PAYMENT OF INDEMNITY****Priority:** Other Significant**CFR Citation:** 9 CFR 52**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/12/99	64 FR 2545

Action	Date	FR Cite
Interim Final Rule	04/16/99	
Comment Period End		
Interim Final Rule	04/18/00	65 FR 20706
Interim Final Rule	06/19/00	
Comment Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis  
Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Arnold C. Taft  
Phone: 301 734-7708**RIN:** 0579-AB10**Department of Agriculture (USDA)****Completed Actions****Animal and Plant Health Inspection Service (APHIS)****297. IMPORTATION OF LOGS,  
LUMBER, AND OTHER  
UNMANUFACTURED WOOD  
ARTICLES****Priority:** Other Significant**CFR Citation:** 7 CFR 319**Completed:**

Reason	Date	FR Cite
Final Action	04/20/00	65 FR 21120
Final Action Effective	05/22/00	65 FR 21120

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Donna L. West  
Phone: 301 734-6799**RIN:** 0579-AA82**299. IMPORTATION OF GRAPEFRUIT,  
LEMONS, AND ORANGES FROM  
ARGENTINA****Priority:** Other Significant**CFR Citation:** 7 CFR 300; 7 CFR  
319.28; 7 CFR 319.56**Completed:**

Reason	Date	FR Cite
Final Action	06/15/00	65 FR 37608
Final Action Effective	06/15/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Wayne Burnett  
Phone: 301 734-6799**RIN:** 0579-AA92**301. IMPORTATION OF GYPSY MOTH  
HOST MATERIAL FROM CANADA****Priority:** Other Significant**CFR Citation:** 7 CFR 319**Completed:**

Reason	Date	FR Cite
Final Action	06/20/00	65 FR 38171
Final Action Effective	06/20/00	65 FR 38171

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Coanne O'Hern  
Phone: 301 734-8247**RIN:** 0579-AB11**298. VETERINARY SERVICES MULTI-  
YEAR USER FEES (SECTION 610  
REVIEW)****Priority:** Other Significant**CFR Citation:** 9 CFR 130**Completed:**

Reason	Date	FR Cite
Final Action	08/28/00	65 FR 51997
Final Action Effective	10/01/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Louise Lothery  
Phone: 301 734-7517

Donna Ford

Phone: 301 734-8351

**RIN:** 0579-AA87**300. IMPORTATION OF POULTRY  
FROM SINALOA AND SONORA,  
MEXICO****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 94.22**Completed:**

Reason	Date	FR Cite
Final Rule	03/23/00	65 FR 15521
Final Rule Effective	04/24/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Michael David  
Phone: 301 734-5034**RIN:** 0579-AA96**302. KARNAL BUNT; REGULATED  
AREAS****Priority:** Other Significant**CFR Citation:** 7 CFR 301**Completed:**

Reason	Date	FR Cite
NPRM	04/18/00	65 FR 20770
Final Action	08/21/00	65 FR 50595
Final Action Effective	08/21/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State**Agency Contact:** Vedpal Malik  
Phone: 301 734-6774**RIN:** 0579-AB14

BILLING CODE 3410-34-S

**Department of Agriculture (USDA)**  
**Cooperative State Research, Education, and Extension Service (CSREES)**

**Proposed Rule Stage**

**303. HIGHER EDUCATION  
 MULTICULTURAL SCHOLARS  
 PROGRAM; ADMINISTRATIVE  
 PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 3152(b)(5); PL 103-111; PL 103-330; PL 104-37; PL 104-180

**CFR Citation:** 7 CFR 3409

**Legal Deadline:** None

**Abstract:** Regulations will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Multicultural Scholars Program.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA09

**304. HISPANIC-SERVING  
 INSTITUTIONS EDUCATION GRANTS  
 PROGRAM ADMINISTRATIVE  
 PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 3241

**CFR Citation:** 7 CFR 3412

**Legal Deadline:** None

**Abstract:** Regulation will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Hispanic Education Partnership Grants Program.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA17

**305. COMMUNITY FOOD PROJECTS  
 ADMINISTRATIVE PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2034

**CFR Citation:** 7 CFR 3416

**Legal Deadline:** None

**Abstract:** This regulation proposes to establish administrative provisions for the Community Food Projects to institute procedures to be followed in preparing proposals, to outline requirements which grant recipients must meet, to provide instructions on how to apply for a grant, and to provide general information about post-award administration of grants under the program.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA19

**306. SMALL BUSINESS INNOVATION  
 RESEARCH PROGRAM  
 ADMINISTRATIVE PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 638

**CFR Citation:** 7 CFR 3403

**Legal Deadline:** None

**Abstract:** The Cooperative State Research Education and Extension Service (CSREES) proposes to modify the Small Business Innovation Research Program Administrative Provisions by changing the language of when a Phase I awardee is eligible to apply for a Phase II award. Currently, a Phase I awardee may apply for a Phase II award in the next fiscal year funding cycle or the second fiscal year funding cycle. CSREES intends to revise this language to allow Phase I awardees to apply in either of the two fiscal years following the end of the initial project period; this does not include any no-cost extensions of time. This revision will allow an 18-month Phase I awardee the same privileges as that of a 6-month Phase I awardee. Privileges as used herein refers to the opportunity for a no-cost extension of time, if necessary, and two options of when a Phase I awardee may apply for a Phase II award.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA20



## USDA—CSREES

## Proposed Rule Stage

**307. BIOTECHNOLOGY RISK ASSESSMENT RESEARCH GRANTS PROGRAM ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 5921; 5 USC 301**CFR Citation:** 7 CFR 3415**Legal Deadline:** None

**Abstract:** The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the Biotechnology Risk Assessment Research Grants Program Administrative Provisions. The revision and modification updates 7 CFR part 3415 to delete references to the Office of Agricultural Biotechnology and the Agricultural Biotechnology Research Advisory Committee clarifying the requirements for the pre-proposals, clarifying what is to be included in the 15-page limit on proposals, and revising the language regarding conflicts of interests (3415.12).

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/01	
NPRM Comment Period End	04/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA21**308. NATIONAL RESEARCH INITIATIVE COMPETITIVE GRANTS PROGRAM ADMINISTRATIVE PROVISIONS****Priority:** Other Significant**Legal Authority:** 7 USC 450i(b)**CFR Citation:** 7 CFR 3411**Legal Deadline:** None

**Abstract:** The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the National Research Initiative Competitive Grants Program administrative provisions. The revision and modification will update 7 CFR

3411 to reflect changes in the Agricultural Research, Extension, and Education Reform Act of 1998 (Pub. L. 105-185) and to comply with a recent OIG audit. Specifically, the equipment grant eligibility requirements need to be revised, along with other administrative changes. In addition, CSREES plans to comply with the proposed plain language requirements set out in the Presidential memo dated June 1, 1998.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA22

## Department of Agriculture (USDA)

## Completed Actions

## Cooperative State Research, Education, and Extension Service (CSREES)

**309. MATCHING FUNDS REQUIREMENT FOR FORMULA FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION ACTIVITIES AT 1890 LAND GRANT INSTITUTIONS AND TUSKEGEE UNIVERSITY****Priority:** Other Significant**CFR Citation:** 7 CFR 3419**Completed:**

Reason	Date	FR Cite
Final Action	04/21/00	65 FR 21629

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Phillip A. Carter  
Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA24**BILLING CODE** 3410-22-S

## Department of Agriculture (USDA)

## Proposed Rule Stage

## Rural Housing Service (RHS)

**310. CIVIL RIGHTS COMPLIANCE REQUIREMENTS—1901-E TO 1940-D****Priority:** Other Significant

**Legal Authority:** PL 100-259; 29 USC 794; PL 94-135; 42 USC 6101 et seq; PL 94-239; 15 USC 1601 et seq; EO 11246; PL 88-352; 42 USC 2000d et seq; PL 90-284; 42 USC 3601 to 3619; PL

100-430; PL 92-318; 20 USC 1681 et seq; PL 93-112; EO 12898

**CFR Citation:** 7 CFR 15; 12 CFR 202; 28 CFR 42; 45 CFR 90; 41 CFR 60 to 64; 24 CFR 14; 7 CFR 1940 subpart D; 7 CFR 1901 subpart E

**Legal Deadline:** None

**Abstract:** This ruling will effectuate a comprehensive civil rights regulation implementing the following laws: The Equal Credit Opportunity Act (ECOA); title VI of the Civil Rights Act of 1964; title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (The Fair

## USDA—RHS

## Proposed Rule Stage

Housing Act); section 504 Federally Conducted and Federally Assisted Programs; title IX of the Education Amendments of 1972; Age Discrimination Act of 1975; and Executive Orders 11246 and 12898 (Environmental Justice). The revised regulations will provide detailed guidelines for field offices for improved enforcement and compliance with these laws which heavily impact the Agency's programs. Mechanisms for monitoring compliance by field offices and recipients of Federal financial assistance at all levels will decrease the Agency's vulnerability that exist due to noncompliance with recently enacted Civil Rights legislation.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Carlton L. Lewis, Chief, Program Compliance Branch, Department of Agriculture, Rural Housing Service, MS 0703, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 692-0097  
Fax: 202 692-0107  
Email: cllewis@rdmail.rural.usda.gov

**RIN:** 0575-AA83

**311. ENVIRONMENTAL PROGRAM STREAMLINE ENVIRONMENTAL PROCESS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 96-510; PL 94-580; PL 94-469; PL 92-500; PL 91-190

**CFR Citation:** 40 CFR 300; 40 CFR 260; 40 CFR 700; 40 CFR 400; 7 CFR 1940

**Legal Deadline:** None

**Abstract:** The objective of this action is to replace the existing environmental regulation and to implement changes to streamline the environmental process for the Rural Housing Service (RHS) and the Rural Business Service (RBS); to include changes necessitated by amendments to various environmental laws, Executive orders, and regulations applicable to the two agencies; to clarify wording; correct inconsistencies; and where applicable, to delete obsolete material and update references in other program regulations. This revision represents an important contribution to the Department's efforts to streamline its operations and realize more efficient use of staff time. There are a number of Federal environmental statutes which govern the management of hazardous substances, materials, and wastes. At the present time, RHS and RBS do not have implementing regulations for these Federal statutes. The development of implementation procedures for managing hazardous substances is necessary to insure consistency in compliance with Federal, as well as State, environmental statutes; to develop appropriate "due diligence" policies to ensure that the market value of real estate being considered as security for financial assistance adequately reflects potential contamination from hazardous waste; and to minimize the Agencies' liability with regard to environmental cleanups of hazardous waste in loan processing/servicing and property management activities.

**Timetable:**

Action	Date	FR Cite
NPRM	09/14/00	65 FR 55784
NPRM Comment Period End	11/13/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Susan Wiefierich, Senior Environmental Protection Specialist, Program Support Service, Department of Agriculture, Rural Housing Service, Room 6900/Stop 0761, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-9647

**RIN:** 0575-AB98

**312. SERVICING COMMUNITY PROGRAMS LOANS AND GRANTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 7 USC 1989; 31 USC 3711; 42 USC 1480

**CFR Citation:** 7 CFR 3570 subpart E; 7 CFR 1951 subpart E; 7 CFR 1951 subpart O; 7 CFR 1955 subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart C; 7 CFR 1951 subpart F

**Legal Deadline:** None

**Abstract:** The Agency is combining seven regulations affecting the servicing of Community Programs loans and grants into one regulation. Justification: This is part of the Reinventing Government Initiative. There are no policy or procedural changes. The published regulation will be simplified by removing the administrative portion and will only contain the information affecting the public.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Beth Jones, Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, Room 0183/Stop 0787, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1498  
Email: epjones@rdmail.rural.usda.gov

**RIN:** 0575-AC12

**313. MULTI-FAMILY HOUSING REINVENTION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 5 USC 301; 42 USC 1490a; 7 USC 1989; 42 USC 1475; 42 USC 1479; 42 USC 1480; 42 USC 1481; 42 USC 1484; 42 USC 1485; 42 USC 1486

## USDA—RHS

## Proposed Rule Stage

**CFR Citation:** 7 CFR 1806 subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart B; 7 CFR 1965 subpart B; 7 CFR 1965 subpart E; 7 CFR 1930 subpart C; 7 CFR 1944 subpart D; 7 CFR 1944 subpart E; 7 CFR 1951 subpart C; 7 CFR 1951 subpart D; 7 CFR 1951 subpart K; 7 CFR 1951 subpart N; 7 CFR 1955 subpart A

**Legal Deadline:** None

**Abstract:** Reinvention of the Rural Housing Service's Multi-Family Housing Programs will consolidate regulations pertaining to section 515 Rural Rental Housing, section 514 Farm Labor Housing Loans, section 516 Farm Labor Housing Grants, and section 521 Rental Assistance Payments. Fourteen published regulations will be reduced to one regulation and handbooks for program administration. This will simplify loan origination and portfolio management for applicants, borrowers, and housing operators as well as Rural Development field staff. This will also provide flexibility for program modifications to reflect current and foreseeable changes. It will also reduce regulations that address solely internal Agency program administration. Finally, the regulation will be more customer friendly and responsive to the needs of the public.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Joyce Allen, Special Assistant to Deputy Administrator, Multi-Family Housing Processing Div., Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 690-4499  
Email: jallen@rdmail.rural.usda.gov

Patrick Sheridan, Assistant Deputy Administrator, MFH, Department of Agriculture, Rural Housing Service, Room 1263/Stop 0782, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1609

**RIN:** 0575-AC13

**314. SELF-HELP TECHNICAL ASSISTANCE GRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 42 USC 1480

**CFR Citation:** 7 CFR 1944; 7 CFR 3551

**Legal Deadline:** None

**Abstract:** The regulations for 7 CFR 1944-I "Self-Help Technical Assistance Grants" is being rewritten and renumbered to 7 CFR 3551. Changes are proposed for clarification of policy and procedures relative to the: 1) Application procedure, which is changing to an annual competitive grant process; 2) labor contribution of participating families; 3) monitoring of grantee progress through Self-Help Automated Reporting and Evaluation System (SHARES); and 4) define the roles of Technical and Management Assistance Contractors.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Norma Lopez, Senior Loan Specialist, Department of Agriculture, Rural Housing Service, Room 2209/Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250-0783  
Phone: 202 720-1474  
Fax: 202 720-2232  
Email: nlopez@rdmail.rural.usda.gov

**RIN:** 0575-AC20

**315. RURAL DEVELOPMENT LOAN PAYMENT AND COLLECTION PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 7 USC 1932 Note; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1902 subpart C; 7 CFR 1951 subpart A; 7 CFR 1951 subpart B; 7 CFR 1980 subpart E

**Legal Deadline:** None

**Abstract:** The Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, and Farm Service Agency are proposing to revise their internal loan payment and collections regulations. This action is necessary since existing regulations are obsolete and do not accurately reflect the current payment and collection methodologies employed by the agencies. The intended effect is to simplify and update the regulations; update internal control procedures for safeguarding collections; remove references to the Concentration Banking System, which was eliminated in November 1997; and to add procedures for new electronic payment methods that are currently in use by the agencies (Preauthorized Debits, Fedwire, Customer Initiated Payments, etc.).

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Mark Huntley, Accountant, Department of Agriculture, Rural Housing Service, FC-33, P.O. Box 200011, St. Louis, MO 63120  
Phone: 314 539-6063  
Fax: 314 539-2764  
Email: mark.huntley@stl.rural.usda.gov

**RIN:** 0575-AC22

**316. COMMUNITY PROGRAMS GUARANTEED LOAN PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 3575 subpart A

**Legal Deadline:** None

**Abstract:** Community Programs direct loan program includes a graduation requirement. In order to better facilitate this mission, we are making the graduation of community facility (CF) direct loan through a CF guaranteed loan an eligible purpose in RD Instruction 3575-A, section 3575.24(b). Lenders have expressed an interest in this change in order to better facilitate the capacity to graduate CF direct loans.

## USDA—RHS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Steve Wetherbee, Loan Specialist, Department of Agriculture, Rural Housing Service, Room 0174/Stop 0787, 1400 Independence Avenue SW, Washington, DC 20250-0787  
Phone: 202 720-1503  
Email: swetherb@rdmail.rural.usda.gov

RIN: 0575-AC23

**317. OPERATING ASSISTANCE FOR MIGRANT FARMWORKER PROJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1989; 42 USC 1484; 42 USC 1486; 42 USC 1490a; PL 105-276, sec 599c**CFR Citation:** 7 CFR 1944 subpart D; 7 CFR 1930 subpart C**Legal Deadline:** None

**Abstract:** Regulation implements the provisions of Public Law 105-276, enacted October 21, 1998, which amended section 521 of the Housing Act of 1949. This amendment provides that, for migrant farmworker housing projects financed under section 514 or 516 of the Housing Act, the Secretary may, at the request of the owner, permit amounts provided for rental assistance under section 521 to be used to provide assistance for the costs of operating the project.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	
Final Action	To Be Determined	
Final Action Effective	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Linda Armour, Senior Loan Officer, Multi-Family Housing Processing Division, Department of Agriculture, Rural Housing Service, Stop 0781, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1753  
Fax: 202 690-3444  
Email: larmour@rdmail.rural.usda.gov

RIN: 0575-AC24

**Department of Agriculture (USDA)  
Rural Housing Service (RHS)****Final Rule Stage****318. DENYING CREDIT TO APPLICANTS DELINQUENT ON ANY FEDERAL DEBT****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301**CFR Citation:** 7 CFR 1942 subpart C; 7 CFR 1944 subpart E; 7 CFR 1948 subpart B; 7 CFR 1951 subpart E; 7 CFR 1942 subpart A; 7 CFR 1942 subpart G; 7 CFR 1944 subpart D; 7 CFR 1980 subpart E**Legal Deadline:** None

**Abstract:** OMB Circular A-129, dated November 25, 1988, recommends that the processing of applications for Federal direct loans be suspended and requires private lenders to suspend processing of loan guarantee applications when an applicant is found to be delinquent on a Federal debt. The Federal Debt Collections Procedures Act of 1990 also requires that credit be denied if an outstanding judgment lien obtained by the United States in a Federal Court (other than the United States Tax Court), which has been recorded, is found.

**Timetable:**

Action	Date	FR Cite
NPRM	05/04/94	59 FR 23018

Action	Date	FR Cite
NPRM Comment Period End	07/05/94	59 FR 23018
Final Action	12/00/00	

**Regulatory Flexibility Analysis**  
Required: Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal, Local, Tribal

**Agency Contact:** Leroy Jones, Acting Director, Financial Management Division, Department of Agriculture, Rural Housing Service, MS 0707, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 692-0080  
Fax: 202 692-0088  
Email: jones@rdmail.rural.usda.gov

RIN: 0575-AA66

**319. REENGINEERING AND REINVENTION OF THE DIRECT SECTION 502 AND 504 SINGLE-FAMILY HOUSING PROGRAM****Priority:** Other Significant. Major under 5 USC 801.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480; 31 USC 3700**CFR Citation:** 7 CFR 1806; 7 CFR 1900; 7 CFR 1944; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1965; 7 CFR 3550**Legal Deadline:** None

**Abstract:** Rural Housing Service (RHS) has purchased a state-of-the-art dedicated loan origination servicing system (DLOSS) which includes escrow capability. To conform to this new system, RHS proposes to make further amendments to the regulations to allow the Agency to provide escrow services to single-family housing borrowers, which follow industry standards. In addition, the Agency proposes to amend its regulations to conform to processes and techniques currently utilized by the private sector.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15395
NPRM Comment Period End	06/07/96	
Interim Final Rule	11/22/96	61 FR 59762
Interim Final Rule Comment Period End	12/26/96	
Interim Final Rule Effective	12/26/96	

## USDA—RHS

## Final Rule Stage

Action	Date	FR Cite
Final Action	12/00/00	
Final Action Effective	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Betsy Fletcher, Chief, Loan Origination Branch, Department of Agriculture, Rural Housing Service, Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1486

**RIN:** 0575-AB99

**Department of Agriculture (USDA)**  
**Rural Housing Service (RHS)**

## Long-Term Actions

**320. NATIONAL FLOOD INSURANCE REGULATIONS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1926 subpart B; 7 CFR 1806 subpart B

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal, State, Local, Tribal

**Agency Contact:** Baxter Hill  
Phone: 202 720-1499

**RIN:** 0575-AC07

**321. GUARANTEED RURAL HOUSING LOAN SINGLE FAMILY**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 3555; 7 CFR 1980 subpart D

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/99	64 FR 70124
NPRM Comment	02/14/00	
Period End		
Final Action	To Be	Determined

**322. TECHNICAL ASSISTANCE TO ENCOURAGE THE DEVELOPMENT OF DOMESTIC AND MIGRANT FARM LABOR HOUSING**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1944 subpart D

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Douglas MacDowell  
Phone: 202 720-1627

Fax: 202 690-3444

Email: dmacdowe@usda.gov

**RIN:** 0575-AC25

**BILLING CODE** 3410-07-S

**Department of Agriculture (USDA)**  
**Federal Crop Insurance Corporation (FCIC)**

## Proposed Rule Stage

**323. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART D; APPLICATION FOR CROP INSURANCE**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation amends the General Administrative Regulations by revising the "Collection of Information and Data (Privacy Act)" statement found on the general crop insurance application. The proposed amendments to the statement include defining "substantial beneficial interest" as those persons whose interest in the policyholder is in excess

of 10 percent. Other minor changes have been made to more fully comply with provisions of the Privacy Act.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**324. COMMON CROP INSURANCE REGULATIONS; COARSE GRAINS CROP INSURANCE PROVISIONS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 457.113

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to make changes to the Coarse Grains Crop Insurance Provisions for corn, grain, sorghum, and soybeans for the 2000 crop year specific to the way corn grain versus corn silage is insured and to clarify the insurability of specialty corn and soybeans.

## USDA—FCIC

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB64

**325. GENERAL ADMINISTRATIVE REGULATIONS; MOVEMENT OF BUSINESS AMONG INSURANCE PROVIDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** To ensure that the interests of policyholders are protected and that the policies and policyholder data are transferred in an orderly manner, the Risk Management Agency is providing comprehensive regulations that will apply to agents, managing general agents, policy-issuing companies, and reinsured companies. The objective of this regulation is to prescribe uniform administrative requirements for the movement or assumption of crop insurance policies.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801

Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB71

**326. GENERAL ADMINISTRATIVE REGULATIONS; SANCTIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(m); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** To add a new section to the Sanction regulation that will specify the conditions under which a person and affiliate may qualify for a waiver or reduction of a civil penalty imposed by the Agency.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
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RIN: 0563-AB73

**327. COMMON CROP INSURANCE REGULATIONS; BLUEBERRY CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None

**Abstract:** The purpose of this rule is to solicit public comments on FCIC's

proposed action to convert the blueberry pilot insurance program to a permanent insurance program. The pilot was initiated for the 1995 crop year for selected counties in Michigan, Mississippi, New Jersey, and North Carolina and covered highbush and rabbiteye blueberry varieties.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB76

**328. GENERAL ADMINISTRATIVE REGULATIONS; CIVIL RIGHTS DATA COLLECTION****Priority:** Other Significant**Legal Authority:** 28 CFR 42.403; 28 CFR 42.406**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** The purpose of this action is to ensure compliance with title VI civil rights requirements. This data collection includes race/national origin, sex, disability, and age. This will allow the Agency to better assess if discrimination has occurred and to identify areas in need of outreach.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB78

## USDA—FCIC

## Proposed Rule Stage

**329. COMMON CROP INSURANCE REGULATIONS; NURSERY CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None

**Abstract:** The purpose of this proposed rule is to solicit public comments on FCIC's proposed action to revise the Nursery Crop Provisions (99-073) for the 2002 crop year to: Specify that container grown and field grown plants are separate crops, provide optional units by location for field grown nursery plant, incorporate the "lower of" rule into section 6 of the provisions, permit insureds to purchase insurance coverage on a year-round basis, incorporate provisions to provide a rehabilitation payment for plants damaged by an insured cause of loss.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Sectors Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

**RIN:** 0563-AB80**330. • GENERAL ADMINISTRATIVE REGULATIONS; INTERPRETATIONS OF STATUTORY AND REGULATORY PROVISIONS****Priority:** Info./Admin./Other**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** The purpose of this rule is to amend the General Administrative Regulations; Interpretations of Statutory and Regulatory Provisions by requiring the requestor to contact the Agency using a specified combination of two

methods: Electronic mail and certified mail or electronic mail and facsimile, and to change the 90-day time period to respond to inquiries to begin upon RMA's receipt of the first communication received.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

**RIN:** 0563-AB82**331. • GENERAL ADMINISTRATIVE REGULATIONS; ACTUAL PRODUCTION HISTORY****Priority:** Other Significant**Legal Authority:** 7 USC 1506 (l); 7 USC 1506 (p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** To revise actual production history regulations to reflect changes in calculation of approved APH yields as mandated by the Agricultural Risk Protection Act of 2000. Revisions will include: Assigned yields for crops produced on land not farmed before (added land), rotations to crops not previously produced (new crops), and for prevented planting acreage if planted to a substitute crop; adjustments for successful pest control efforts and for organic crops destroyed to maintain organic certification; and substitution of 60 percent of the Transitional Yield for low actual yields if producers elect that option.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of

Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

**RIN:** 0563-AB83**332. • GENERAL ADMINISTRATIVE REGULATIONS; SUBMISSION OF POLICIES AND PROVISIONS OF POLICIES AND RATES OF PREMIUMS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** Minor revisions will be made to the regulation for clarification and other revisions will be made as specified: Remove the need to publish policies from 508(h) submissions as a Notice of Availability in the Federal Register; information will be made available electronically to producers and approved insurance providers; confidential information may be withheld from the public under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information even after approval by the Board; there will be an expert review of submissions; the applicant will be notified in writing at least 30 days prior to the Board disapproving a submission, if the Board intends to disapprove the submission; a submission will be deemed approved by the Board if the Board fails to make a determination within a prescribed time period; applicants will be reimbursed for research and developmental costs and maintenance costs; and companies selling the product will pay fees to the developer of the product after the fourth year of the applicant being paid maintenance costs unless maintenance for the product is transferred to FCIC.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of

## USDA—FCIC

## Proposed Rule Stage

Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
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RIN: 0563-AB84

**333. • COMMON CROP INSURANCE REGULATIONS; BASIC PROVISIONS AND GENERAL ADMINISTRATIVE REGULATIONS, SUBPART T, REGULATIONS FOR IMPLEMENTATION**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 400; 7 CFR 457.8

**Legal Deadline:** Final, Statutory, October 18, 2000.

**Abstract:** The purpose of these rules is to propose changes to the Common Crop Insurance Regulations, Basic Provisions and the General Administrative Regulations, Subpart T—Insurance Implementation, mandated by the Agricultural Risk Protection Act of 2000. The changes will be proposed to be effective beginning with the 2002 crop year for all crops with a contract change date on or after June 30, 2001. The major changes to the Common Crop Insurance Regulations, Basic Provisions are: 1) Limit indemnities and premiums when more than one crop is planted on acreage within the same crop year; 2) if an initial crop is prevented from being planted and a substitute crop is planted on the acreage within the same crop year, allow reduced prevented planting coverage for the initial crop, and the initial crop's Actual Production History (APH) will be reduced to 60

percent of the producer's APH; and 3) add scientifically sound sustainable and organic farming practices as good farming practices.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB85

## Department of Agriculture (USDA)

## Final Rule Stage

## Federal Crop Insurance Corporation (FCIC)

**334. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART S; REGULATIONS FOR INSURANCE COVERAGE BY WRITTEN AGREEMENT**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation (FCIC) hereby proposes regulations to allow insurance coverage by written agreement for crops in counties which have no actuarial table. Currently, FCIC provides insurance by written agreement for only program crops. By providing insurance by written agreement, FCIC will provide a risk management tool to a broader base of producers.

**Timetable:**

Action	Date	FR Cite
NPRM	06/20/97	62 FR 33575
NPRM Comment Period End	08/19/97	
Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of

Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB07

**335. COMMON CROP INSURANCE REGULATIONS; SMALL GRAINS CROP INSURANCE PROVISIONS AND WHEAT WINTER COVERAGE ENDORSEMENT**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 457.101; 7 CFR 457.102

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to revise and clarify existing policy provisions, establish winter wheat coverage in certain South Dakota and Wisconsin counties, reduce coverage under Option B of the Wheat Winter Coverage Endorsement, and to require insurance on spring wheat planted to replace damaged winter wheat covered under the Wheat Winter Coverage Endorsement.

**Timetable:**

Action	Date	FR Cite
NPRM	04/20/00	65 FR 21144
NPRM Comment Period End	06/19/00	65 FR 21144
Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

RIN: 0563-AB63



## USDA—FCIC

## Final Rule Stage

**336. GENERAL ADMINISTRATIVE REGULATIONS; NONSTANDARD UNDERWRITING CLASSIFICATION SYSTEM****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to remove and reserve subpart O of the General Administrative Regulations, effective for the 1999 (2000 for Texas and Arizona and California Citrus) and succeeding crop years. This action is intended to eliminate the unintended adverse effects of the Nonstandard Classification System (NCS), simplify and update program underwriting rules consistent with the program's current and future anticipated experience, and ensure that crop insurance premiums are applied to all producers in a fair and consistent manner.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/17/97	62 FR 48798
ANPRM Comment Period End	10/17/97	62 FR 48798
NPRM	09/02/98	63 FR 46703
NPRM Comment Period End	10/19/98	
Final Action	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
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**RIN:** 0563-AB66**337. GENERAL ADMINISTRATIVE REGULATIONS; PREMIUM REDUCTIONS; PAYMENTS OF REBATES, DIVIDENDS, AND PATRONAGE REFUNDS; AND PAYMENTS TO INSURED-OWNED AND RECORD-CONTROLLING ENTITIES****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p); 7 USC 1508(e)(3)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** To allow approved insurance providers to apply to the Federal Crop Insurance Corporation for authority to reduce the premium charged producers in accordance with section 508(e)(3) of the Federal Crop Insurance Act, as amended, and to provide the limitations and requirements applicable to the payment of rebates, dividends, and patronage refunds to insureds, and payments to insured-owned and record-controlling entities.

**Timetable:**

Action	Date	FR Cite
NPRM	05/12/99	64 FR 25464
NPRM Comment Period End	07/12/99	
Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Heyward Baker, Director, Reinsurance Services Division, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0804  
Phone: 202 720-4286

**RIN:** 0563-AB70**338. COMMON CROP INSURANCE REGULATIONS; MILLET CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None

**Abstract:** The purpose of this rule is to solicit public comments on FCIC's proposed action to convert the millet pilot crop insurance program to a permanent insurance program and clarify existing crop provisions and

methodology for calculated losses for the 2001 and succeeding crop years. FCIC believes this proposed rule will provide additional coverage benefits and improved the risk management tool for millet producers in all regions of the country.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/00	65 FR 37919
NPRM Comment Period End	08/18/00	65 FR 37919
Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 0563-AB79**339. • CATASTROPHIC RISK PROTECTION ENDORSEMENT; GROUP RISK PLAN OF INSURANCE REGULATIONS; BASIC PROVISIONS****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 7 USC 1506(l), 1506(p)**CFR Citation:** 7 CFR 402; 7 CFR 407; 7 CFR 457**Legal Deadline:** Final, Statutory, June 30, 2000.

**Abstract:** The Federal Crop Insurance Corporation (FCIC) amends the Catastrophic Risk Protection Endorsement (7 CFR part 402), the Group Risk Plan of Insurance Regulations (7 CFR part 407), and the Common Crop Insurance Regulations, Basic Provisions (7 CFR part 457) to revise those provisions affected by the changes in the administrative fees and subsidies and the substitution of yields in the producer's actual production history mandated by the Agricultural Risk Protection Act of 2000.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/28/00	65 FR 40483
Interim Final Rule	06/30/00	65 FR 40483

## USDA—FCIC

Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Comment Period End	08/29/00	
Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
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**RIN:** 0563—AB81

**Department of Agriculture (USDA)**  
**Federal Crop Insurance Corporation (FCIC)**

Completed Actions

**340. GENERAL ADMINISTRATIVE REGULATIONS; HIGH RISK LAND REGULATIONS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 400

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman  
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 Fax: 202 690-2818

**RIN:** 0563—AA98

**342. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART N; DISASTER ASSISTANCE ACT OF 1988**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 400

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman  
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**RIN:** 0563—AB20

**344. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 401**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 401.8

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman  
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**RIN:** 0563—AB60

**341. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART J; APPEAL PROCEDURE REGULATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 400

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman  
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**RIN:** 0563—AB17

**343. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 400**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 400.47

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman  
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**RIN:** 0563—AB59

**345. COMMON CROP INSURANCE REGULATIONS; FLORIDA FRUIT TREE CROP INSURANCE PROVISIONS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 457

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy Hoffmann  
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**RIN:** 0563—AB75

**BILLING CODE** 3410—08—S

## Department of Agriculture (USDA)

Prerule Stage

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**346. • HOW CAN USDA BEST FACILITATE THE MARKETING OF GRAINS, OILSEEDS, FRUITS, VEGETABLES, AND NUTS IN TODAY'S MARKETPLACE****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 71 et seq; 7 USC 1621 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** USDA is seeking input from producers, handlers, processors, food manufacturers, exporters, consumers, scientists, industry representatives, and

other interested persons on how to best facilitate the marketing of non-biotech grains, oilseeds, fruits, vegetables, and nuts in today's marketplace. The ANPRM seeks comments on current and anticipated market practices and on the feasibility of and need for USDA's involvement in quality assurance or other programs to facilitate the marketing of these products.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/00	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1738

Fax: 202 690-2755

Email: svassili@gipsadc.usda.gov

**RIN:** 0580-AA73

## Department of Agriculture (USDA)

Proposed Rule Stage

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**347. REVIEW INSPECTION REQUIREMENTS****Priority:** Other Significant**Legal Authority:** 7 USC 71 et seq**CFR Citation:** 7 CFR 800.125; 7 CFR 800.135; 7 CFR 800.87**Legal Deadline:** None**Abstract:** GIPSA is proposing to revise regulations under the U.S. Grain Standards Act to allow interested persons to stipulate the quality factors that would be redetermined during a reinspection or appeal inspection for grade. Currently reinspections and appeal inspections for grade must include a review for all factors that (1) may determine the grade; (2) are reported on the original certificate; or (3) are required to be shown. GIPSA has determined that mandating all quality factors be reexamined during a review inspection is inefficient, time consuming, and costly. Further, such a complete review of the preceding inspection service is usually not needed to confirm the true quality of the grain. This proposed action will allow interested parties to specify which official factors should be redetermined during the reinspection or appeal inspection service. However, to safeguard against inadvertent misgrading, official personnel may determine other factors, when deemed necessary.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1738  
Fax: 202 690-2755  
Email: svassili@gipsadc.usda.gov**RIN:** 0580-AA58**348. LIVESTOCK PURCHASE OR SALE: PROHIBIT NON-REPORTING OF PRICE****Priority:** Other Significant**Legal Authority:** 7 USC 204; 7 USC 228**CFR Citation:** 9 CFR 201.54**Legal Deadline:** None**Abstract:** Following a review of comments received in response to the ANPRM, the Agency is proposing a regulation that would make purchasing or selling livestock with the condition that the price not be reported a violation of the Packers and Stockyards Act.**Timetable:**

Action	Date	FR Cite
ANPRM	09/10/98	63 FR 48450
ANPRM Comment	12/09/98	63 FR 48450
Period End		
NPRM	12/00/00	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1738

Fax: 202 690-2755

Email: svassili@gipsadc.usda.gov

**RIN:** 0580-AA65**349. SWINE PACKER MARKETING CONTRACTS****Priority:** Other Significant**Legal Authority:** 7 USC 181; PL 106-78**CFR Citation:** 9 CFR 206**Legal Deadline:** NPRM, Statutory, May 1, 2000.**Abstract:** The Agency is proposing rules under the Packers and Stockyards Act to implement the Swine Packer Marketing Contracts subtitle of the Livestock Mandatory Reporting Act of 1999. The proposal is intended to establish a swine marketing contract library and provide information on the contracting practices of swine packers.**Timetable:**

Action	Date	FR Cite
NPRM	09/05/00	65 FR 53653
NPRM Comment	10/05/00	
Period End		
Final Action	01/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

## USDA—GIPSA

Final Rule Stage

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0580-AA71

**350. • REGULATIONS TO ENSURE MORE EQUITABLE COMPETITION IN THE LIVESTOCK AND MEAT PACKING INDUSTRIES (LIVESTOCK AND POULTRY MARKETING)**

**Regulatory Plan:** This entry is Seq. No. 3 in Part II of this issue of the **Federal Register**.

**RIN:** 0580-AA72

## Department of Agriculture (USDA)

Final Rule Stage

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**351. TOLERANCES FOR DIVIDERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 71 et seq

**CFR Citation:** 7 CFR 801.10

**Legal Deadline:** None

**Abstract:** GIPSA proposes to remove section 801.10, Tolerance for Dividers, from the CFR. Since GIPSA no longer tests dividers, the rule is no longer needed. By using the direct final rule process, GIPSA will give the public

general notice of its intent to remove the rule and provide interested persons an opportunity to participate in the rulemaking through submission of comments.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250

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**RIN:** 0580-AA57

## Department of Agriculture (USDA)

Long-Term Actions

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**352. POULTRY GROWER CONTRACTS**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 201.100

**Timetable:**

Action	Date	FR Cite
ANPRM	02/10/97	62 FR 5935

**Timetable:**

Action	Date	FR Cite
ANPRM Comment Period End	05/12/97	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades

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**RIN:** 0580-AA51

## Department of Agriculture (USDA)

Completed Actions

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**353. REGULATIONS ISSUED UNDER PACKERS AND STOCKYARDS ACT (FEED WEIGHT)**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 201.49; 9 CFR 201.55; 9 CFR 201.71; 9 CFR 201.72; 9 CFR 201.73

**Completed:**

Reason	Date	FR Cite
Final Action	04/05/00	65 FR 17758
Final Action Effective	05/05/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0580-AA64

BILLING CODE 3410-EN-S

**Department of Agriculture (USDA)**  
**Food and Nutrition Service (FNS)**

**Proposed Rule Stage**

**354. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): MISCELLANEOUS PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** This proposed rule responds to a variety of program concerns, most of which have been expressed by WIC State agencies. The proposal increases State agency flexibility regarding the sharing of participant information with other programs and streamlines Federal requirements for financial and participation reporting by State agencies. Several minor clarifications and technical corrections are also made. (89-515)

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	02/00/01	
Final Action	08/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
 Phone: 703 305-2246  
 Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AB10

**355. FOOD STAMP PROGRAM MATCHING PROGRAMS AND PRIVACY PROTECTIONS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 5 USC 552(a) Computer Matching and Privacy Protection Act; 7 USC 2015(b) Food Stamp Act

**CFR Citation:** 7 CFR 272; 7 CFR 273

**Legal Deadline:** None

**Abstract:** This proposed rule describes requirements for State agencies to report information on individuals disqualified from the program for intentional program violations to FNS and the related FNS computer matching program known as the Disqualified Recipient Subsystem (DRS).

This proposed rule also describes protections to persons whose benefits could be adversely affected by computer matches used in the Food Stamp Program. Such protections must include independent verification of computer information, notification to the affected individual, and provision of an opportunity to respond to the information before an adverse action becomes effective. (89-010)

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	
Final Action	07/00/01	
Final Action Effective	10/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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 Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AB51

**356. CHILD AND ADULT CARE FOOD PROGRAM: IMPROVING MANAGEMENT AND PROGRAM INTEGRITY**

**Regulatory Plan:** This entry is Seq. No. 4 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC24

**357. FOOD STAMP PROGRAM REGULATORY REVIEW: FSP STANDARDS FOR APPROVAL AND OPERATION OF FOOD STAMP ELECTRONIC BENEFIT TRANSFER SYSTEMS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 2011 TO 2034

**CFR Citation:** 7 CFR 274.12

**Legal Deadline:** None

**Abstract:** This rule proposes revisions to food stamp regulations affecting the standards and administration of EBT systems for food stamp issuance. Current regulations at 7 CFR 274.12 delineate the standards that EBT systems must meet in order to be approved for operation. This rule will revise those regulations to provide the State agency more flexibility in implementing and operating those systems. Clarifications and FNS settlement improvements will also be incorporated into the rule. (96-016)

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC37

**358. WIC FARMERS MARKET NUTRITION PROGRAM (FMNP): EXPANSION FUNDS ALLOCATION FORMULA**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786(m)

**CFR Citation:** 7 CFR 248

**Legal Deadline:** None

**Abstract:** The Child Nutrition Act of 1966 as amended (42 USC 1786(m)(6)) sets forth funding requirements of State agencies currently operating the program and for State agencies wishing

## USDA—FNS

## Proposed Rule Stage

to start a new program. The law leaves it to the discretion of the Secretary to determine the method of allocating funds to currently operating State agencies. This interim rule would implement a funding formula for the allocation of such expansion funds to existing FMNP State agencies. (98-003)

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	03/00/01	
Final Action	09/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC68

### 359. CHILD NUTRITION PROGRAMS: REIMBURSEMENT FOR SNACKS IN AFTERSCHOOL CARE PROGRAMS

**Priority:** Other Significant

**Legal Authority:** PL 105-336

**CFR Citation:** 7 CFR 210; 7 CFR 226; 7 CFR 235; 7 CFR 245

**Legal Deadline:** None

**Abstract:** The William F. Goodling Child Nutrition Reauthorization Act of 1998 amended the National School Lunch Act to authorize reimbursement for snacks served under the NSLP in afterschool care programs operated by schools. The afterschool program must be organized primarily to provide care for children and have an educational or enrichment purpose. Additionally, the statute mandates free snacks for all children enrolled in afterschool care programs operated by schools in areas served by a school in which at least 50 percent of the enrolled children are certified for free or reduced price meals.

In the CACFP, the statute authorizes free snacks to children through age 18 enrolled in afterschool programs located in low-income areas. Low-income areas are defined in the law as

areas in which at least 50 percent of the children are eligible for free or reduced price school meals. Therefore, individual eligibility determinations are not required for these programs. This rule also implements the provision of the law which permits outside school hours care programs to participate in CACFP if they meet health and safety standards where no State or local licensing or approval is required. (98-007)

**Timetable:**

Action	Date	FR Cite
NPRM	10/11/00	65 FR 6050
NPRM Comment Period End	01/09/01	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC72

### 360. FSP: CIVIL RIGHTS DATA COLLECTIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 88-352, sec 601

**CFR Citation:** 7 CFR 272

**Legal Deadline:** None

**Abstract:** Title VI of the Civil Rights Act of 1964 requires the collection of racial/ethnic data for all programs utilizing Federal funds. State agencies are required to collect the data by racial/ethnic categories set by the Federal Government. In 1997, those categories changed. This proposed rule would change the racial categories for State Food Stamp Program reporting to comply with the new Federal racial categories. (98-010)

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	
Final Action	06/00/01	
Final Action Effective	09/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC75

### 361. COMMODITY SUPPLEMENTAL FOOD PROGRAM: PLAIN LANGUAGE, PROGRAM ACCOUNTABILITY, AND PROGRAM FLEXIBILITY

**Priority:** Other Significant

**Legal Authority:** PL 101-624; PL 104-127

**CFR Citation:** 7 CFR 247

**Legal Deadline:** None

**Abstract:** This rule will rewrite regulations pertaining to the Commodity Supplemental Food Program (7 CFR part 247) in "plain language." It will also amend regulatory provisions in this part to increase program accountability and flexibility for program operators. The rule will affect program accountability by: (1) Requiring State agencies to initiate a claim against participants for repayment of the value of program benefits obtained as a result of intentional misrepresentation; (2) extending the period that State agencies may disqualify participants for program violations for up to 1 year; (3) requiring State agencies to disqualify participants for engaging in dual participation or for other selected program violations; (4) including under program violations the physical abuse, or the threat of physical abuse, of program staff.

Amendments to increase program flexibility include: (1) Allowing the State to extend the certification of elderly persons on a fixed income for an indefinite period without a formal review of eligibility; (2) increasing the period of time the State agency has to review a local agency's application for participation; (3) allowing State agencies to request to retain more than the maximum amount of administrative funds allocated whether or not they perform warehouse services; (4) reducing the frequency of State management evaluations of local agencies; and (5) making State plans and Federal-State agreements

## USDA—FNS

## Proposed Rule Stage

permanent, with amendments submitted as needed.

Other miscellaneous proposed changes include: (1) Requiring local agencies to notify applicants of a decision on their application within 20 days of the date of application; (2) including the specific factors that FNS uses to determine the amount of caseload that States will receive in addition to base caseload; (3) making the caseload cycle the period from January 1 to December 31; and (4) including a pregnant woman's embryo or fetus in utero as a household member in determining the family's income eligibility.

The rule will also incorporate legislative provisions that have been implemented through program policy, including: (1) Increasing the percentage of the program appropriation, and of funds carried over from the previous year, to be allotted for administrative support of State and local agencies from 15 to 20 percent; and (2) requiring that State and local agencies provide information on certain other public assistance programs to participants. (99-005)

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	
Final Action	06/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC84

**362. FOOD STAMP PROGRAM: ADMINISTRATIVE COST REIMBURSEMENT**

**Priority:** Economically Significant. Major under 5 USC 801.

**Unfunded Mandates:** Undetermined

**Legal Authority:** PL 105-185, sec 502

**CFR Citation:** 7 CFR 277

**Legal Deadline:** Final, Statutory, October 1, 1998, Payment reduction required by law.

**Abstract:** This rule will allow State agencies to charge the FSP for its share of common costs for determining eligibility of Temporary Assistance for Needy Families (TANF) households for FSP in accordance with new HHS policy and approved cost allocation plans. (99-007)

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
NPRM Comment Period End	05/00/01	
Final Action	02/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Local

**Federalism:** Undetermined

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC86

**363. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): REVISIONS IN THE WIC FOOD PACKAGES**

**Regulatory Plan:** This entry is Seq. No. 5 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC90

**Department of Agriculture (USDA)  
Food and Nutrition Service (FNS)****Final Rule Stage****364. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): FOOD DELIVERY SYSTEMS**

**Regulatory Plan:** This entry is Seq. No. 6 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AA80

**365. WIC: REQUIREMENTS FOR AND EVALUATION OF WIC PROGRAM REQUESTS FOR BIDS FOR INFANT FORMULA REBATE CONTRACTS**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** At the time the current cost containment regulations were published in 1989, there were only minor differences in infant formula wholesale prices and few differences in types of infant formulas offered by manufacturers; i.e., milk- and soy-based infant formula. However, current wholesale prices vary considerably among manufacturers for similar formulas and several new infant formulas have emerged on the market over the last decade. Therefore, to reflect market changes in the infant formula industry and to optimize competition in the WIC Program's infant formula rebate contracts, this interim rule would require WIC State agencies to award infant formula rebate contracts based on the lowest net price, allowing highest gross rebate as a basis

of award only when retail prices of the different brands of infant formula vary, on average, by 5 percent or less. Additionally, this rule would define the types and forms of infant formula that must be included in cost containment systems. It would also expand on conditions that must be met for the issuance of infant formulas not covered by rebate contracts. (92-013)

**Timetable:**

Action	Date	FR Cite
NPRM	07/16/98	63 FR 38343
NPRM Comment Period End	09/14/98	63 FR 38343
Interim Final Rule	08/23/00	65 FR 51213
Interim Final Rule Effective	10/23/00	
Interim Final Rule Implementation Date	11/21/00	

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Action	Date	FR Cite
Interim Final Rule	08/23/01	
Comment Period End		
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal, State, Local, Tribal**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB52**366. FOOD STAMP PROGRAM: ANTICIPATING INCOME AND REPORTING CHANGES****Priority:** Other Significant**Unfunded Mandates:** This action may affect State, local or tribal governments.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 272; 7 CFR 273**Legal Deadline:** None**Abstract:** This rule revises Food Stamp Program procedures for reporting and acting on changes in earned income. The changes are designed to increase State agency flexibility and improve procedures for determining the eligibility and benefits of households whose income fluctuates unpredictably. Under this rule, State agencies would choose from four different reporting requirements for households with earned income. The reporting requirement a State agency selects would replace the current requirement that households report a change of more than \$25 in earned income. In addition to reporting a change in source of income, households would be

required to report one of the following: A change in wage rate or salary and a change in part-time or full-time status, provided the household is certified for no more than 3 months; a change in wage rate or salary and a change of more than 5 hours a week that is expected to continue for more than a month; or a change in the amount earned of more than \$100 a month. The reporting requirement for changes in unearned income would be increased to changes of more than \$50 a month from the current threshold of changes of more than \$25 a month. In addition to the above reporting options, State agencies would also be able to select the option of requiring households to report changes through a quarterly reporting system rather than at the time the changes become known to the household. (93-005)

**Timetable:**

Action	Date	FR Cite
NPRM	12/17/96	61 FR 66233
NPRM Comment Period End	02/18/97	
Final Action	10/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB57**367. FOOD STAMP PROGRAM: REVISIONS TO THE RETAIL FOOD STORE DEFINITION AND PROGRAM AUTHORIZATION GUIDANCE****Regulatory Plan:** This entry is Seq. No. 7 in Part II of this issue of the **Federal Register**.**RIN:** 0584-AB90**368. DISCLOSURE OF FREE AND REDUCED-PRICE ELIGIBILITY INFORMATION UNDER THE SCHOOL NUTRITION, SUMMER FOOD SERVICE, AND CHILD AND ADULT CARE FOOD PROGRAMS****Priority:** Other Significant**Legal Authority:** PL 103-448, sec 108**CFR Citation:** 7 CFR 215; 7 CFR 225; 7 CFR 226; 7 CFR 245**Legal Deadline:** None**Abstract:** This rule would allow limited disclosure of children's free and reduced price meal eligibility status or information, as authorized under Public Law 103-448, to persons directly connected with the administration or enforcement of (1) programs under the Richard B. Russell National School Lunch Act or Child Nutrition Act of 1966; (2) Federal education programs; (3) State health and education programs; (4) means-tested nutrition programs; and (5) the Comptroller General and certain law enforcement officials. The rule also proposes safeguards to protect the free and reduced-price application and personal information from misuse and includes penalties for unauthorized disclosures. (95-022)**Timetable:**

Action	Date	FR Cite
NPRM	07/25/00	65 FR 45725
NPRM Comment Period End	11/22/00	65 FR 45725
Final Action	02/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC21**369. DETERMINING ELIGIBILITY FOR FREE AND REDUCED-PRICE MEALS AND FREE MILK IN SCHOOLS: PROVISION 2 AND PROVISION 3****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** PL 103-448**CFR Citation:** 7 CFR 245**Legal Deadline:** None**Abstract:** Under an alternative known as Provision 2, schools that serve all



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meals at no charge for 3 consecutive years may distribute applications and make free and reduced price meal eligibility determinations once every 3 years. During year 1 of the 3-year cycle, they count and claim meals by category (free, reduced price, and paid) and use these counts to develop claiming percentages to use during years 2 and 3. Public Law 103-448 amended the NSLA to allow schools to extend these procedures an additional 2 years and allow subsequent 5-year cycles, without making new free and reduced price eligibility determinations, provided the income level of the school's population remained stable. Public Law 103-448 also added a new Provision 3 for schools that serve all meals at no charge for 4 consecutive years. These schools receive the same level of cash and commodity assistance they received in the last year free and reduced price eligibility determinations and actual meal counts were taken. Additional 4-year cycles were permitted, without making new free and reduced price eligibility determinations, provided the income level of the school's population remained stable. For both provisions, schools must make up the difference between Federal reimbursement and meal costs. Public Law 105-336 subsequently amended the timeframe for Provision 2 so that both Provisions 2 and 3 are 4-year cycles, which may be extended, without making new eligibility determinations, if the income level of the school's population remains stable. The rule will codify these provisions and specify technical aspects, such as the measurement of the income level of the school's population and the types of data that may be used. (96-003)

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5791
NPRM Comment Period End	04/07/00	
Final Action	02/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC25

**370. FSP: PERSONAL RESPONSIBILITY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Regulatory Plan:** This entry is Seq. No. 8 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC39

**371. FSP: NONCITIZEN ELIGIBILITY AND CERTIFICATION PROVISIONS OF PUBLIC LAW 104-193 (PREVIOUSLY ENTITLED STATE FLEXIBILITY AND CERTIFICATION PROVISIONS)**

**Regulatory Plan:** This entry is Seq. No. 9 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC40

**372. FSP: NONDISCRETIONARY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Regulatory Plan:** This entry is Seq. No. 10 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC41

**373. FOOD STAMP PROGRAM: WORK PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 AND THE FOOD STAMP PROVISIONS OF THE BALANCED BUDGET ACT OF 1997**

**Regulatory Plan:** This entry is Seq. No. 11 in Part II of this issue of the **Federal Register**.

**RIN:** 0584-AC45

**374. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WIC: IMPLEMENTATION OF WIC-RELATED PROVISIONS OF PUBLIC LAW 104-193, PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** This rule implements the WIC-related provisions of Public Law 104-193, the Personal Responsibility and Work Opportunity Act of 1996. These provisions include: Revision to the definition of homeless individual and the elimination of several current requirements, including annual evaluation of nutrition education and breastfeeding promotion and support efforts, provision of written information on certain programs, and timeframes for action on local agency applications for program participation. (96-031)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/05/00	65 FR 53523
Interim Final Rule Comment Period End	11/06/00	
Final Action	04/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC51

**375. WIC: CERTIFICATION INTEGRITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** This final rule implements three WIC certification requirements contained in Public Law 105-336, the William F. Goodling Child Nutrition Reauthorization Act of 1998, enacted October 31, 1998. Public Law 105-336 requires: (1) The physical presence of applicants at certification, except in certain circumstances; (2) documentation of an applicant's income, except in certain circumstances; and (3) State agencies to implement a system designed to identify participants participating at

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more than one WIC site. This rule also implements two nondiscretionary legislative requirements in the Agriculture Risk Protection Act of 2000, Public Law 106-224, that also affect the WIC application and certification process. This Act allows individuals residing in a remote Indian or Native village or served by an Indian Tribal Organization to provide their mailing address and name of the remote Indian or Native village as proof of residence. The Act defines "remote Indian or Native village." This Act also provides State agencies, in determining an applicant's eligibility for WIC, the option to exclude from consideration as income any cost-of-living allowance provided to military personnel who are on duty outside the contiguous United States. (98-011)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/21/00	65 FR 3375
Interim Final Rule Effective	02/22/00	
Interim Final Rule Comment Period End	04/20/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC76

**376. FOOD DISTRIBUTION PROGRAM: DELETION OF REQUIREMENT TO EVALUATE STATE-RUN COMMODITY DISTRIBUTION AND WAREHOUSING SYSTEMS EVERY 3 YEARS**

Priority: Substantive, Nonsignificant

Legal Authority: PL 100-237

CFR Citation: 7 CFR 250.14; 7 CFR 250.15

Legal Deadline: None

**Abstract:** Section 250.14(a) currently requires State distributing agencies that operate their own warehousing and distribution system to make a cost comparison of that system with a commercial system every 3 years. Most State distributing agencies have now

either switched to a commercial system or evaluated their own system at least twice and determined it to be the most cost effective. Therefore, we propose to remove that requirement from our regulations. We will maintain the authority to require a cost comparison when circumstances warrant. We are suggesting a direct final rule rather than a proposed rule because we do not expect any objections to this discretionary change. (99-001)

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	06/00/01	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC79

**377. FDPIR: INCOME DEDUCTION AND MISCELLANEOUS PROVISION RULE**

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2011-2032

CFR Citation: 7 CFR 253

Legal Deadline: None

**Abstract:** This rule proposes the establishment of two income deductions under the Food Distribution Program on Indian Reservations (FDPIR). Households providing proper verification will be allowed an income deduction for: 1) Legally required child support payments for a nonhousehold member and 2) Medicare Part B premium payments. This rule would also make technical amendments, such as changing outdated terminology and revising or removing provisions that are obsolete or have changed. These changes are designed to improve program service to FDPIR participants. (99-003)

**Timetable:**

Action	Date	FR Cite
NPRM	01/14/00	65 FR 2358
NPRM Comment Period End	03/14/00	
Final Action	10/00/00	
Final Action Effective	12/00/00	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC81

**378. ● FSP: ELECTRONIC BENEFIT TRANSFER (EBT) SYSTEMS INTEROPERABILITY AND PORTABILITY**

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-171

CFR Citation: 7 CFR 272.1; 7 CFR 274.12

**Legal Deadline:** Other, Statutory, September 7, 2000, PL 106-171 sec 3. Other, Statutory, February 11, 2001, PL 106-171 sec 4. Other, Statutory, October 1, 2002, PL 106-171 sec 3.

**Abstract:** This rule revises Food Stamp regulations to ensure that recipients can use their electronic food stamp benefits across State borders by requiring interoperable State electronic issuance systems. The regulations establish uniform national standards to achieve this requirement. Also, 100 percent funding is available under the regulation to pay for the operational cost of this functionality up to a national limit of \$500,000. Costs beyond this level will be covered at the standard 50 percent program reimbursement rate for State administrative costs. (00-001)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/15/00	65 FR 49719
Interim Final Rule Effective	09/19/00	
Interim Final Rule Comment Period End	11/13/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department

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## Final Rule Stage

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RIN: 0584-AC91

**379. • NATIONAL SCHOOL LUNCH AND SCHOOL BREAKFAST PROGRAMS: IDENTIFICATION OF BLENDED BEEF, PORK, POULTRY, OR SEAFOOD PRODUCTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1751 to 1760, 1779

**CFR Citation:** 7 CFR 210; 7 CFR 220

**Legal Deadline:** None

**Abstract:** This interim rule addresses the use of beef, pork, poultry, or seafood products containing 30 percent or more alternate protein products (APP) in the National School Lunch Program and the School Breakfast Program. If participating school food authorities identify foods offered in reimbursable meals on menus provided to children and their parents, on serving lines or by other methods, schools must identify beef, pork, poultry, or seafood products containing 30 percent or more fully hydrated APP (of the hydrated APP and meat, seafood, or poultry total) in a manner that does not characterize these products solely as a beef, pork, poultry, or seafood product. This rule is intended to ensure that program participants are advised of the use of blended products. (00-002)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/08/00	65 FR 36315
Interim Final Rule Effective	07/10/00	
Interim Final Rule Comment Period End	08/07/00	
Final Action	02/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC92

**380. • WIC: NON-DISCRETIONARY FUNDING MODIFICATIONS OF PUBLIC LAW 106-224**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** Final, Statutory, October 20, 2000.

**Abstract:** The Agricultural Risk Protection Act of 2000 sets forth two new funding modifications for the WIC Program. The changes incorporated in this final rule are mandated by Congress and require no Agency discretion. The funding modifications set forth in the Act included in this final regulations are: 1) A revision to the methodology used to calculate the national administrative grant per participant used to determine the distribution of grant funds for food and nutrition services and administrative (NSA) funds and 2) a change in the provisions for conversion of food funds to NSA funds which allows more flexibility for noncontiguous States containing remote Indian or Native villages to convert funds allocated for food benefits to the costs of NSA. (00-003)

**Timetable:**

Action	Date	FR Cite
Final Rule	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC93

**381. • CHILD AND ADULT CARE FOOD PROGRAM: IMPLEMENTING LEGISLATIVE REFORMS TO STRENGTHEN PROGRAM INTEGRITY**

**Priority:** Other Significant

**Legal Authority:** PL 106-224, sec 243

**CFR Citation:** 7 CFR 226

**Legal Deadline:** Final, Statutory, October 20, 2000.

**Abstract:** This interim rule incorporates changes to the Child and Adult Care Food Program as required by the Agricultural Risk Protection Act (Pub. L. 106-224) to strengthen the management and integrity of the program. Provisions include 1) changes to eligibility requirements for participating institutions; 2) conditions for approval, such as ensuring financial viability, stipulating that new institutions and facilities are allowed to participate only where there is need for the program, and the elimination of "moving toward tax exempt status" of institutions; 3) new program monitoring requirements; 4) new parental notification requirements by CACFP centers or homes that describe the program and benefits and provide parents with access to the sponsoring organization and State agency; 5) rules on allowing corrective action and appeals in situations involving the termination or suspension of participating institutions, facilities, and individuals; 6) funds recovery in situations involving fraud, abuse, or improper submissions for reimbursement; and 7) limitation on the percentage of funds that sponsoring organizations can retain from day care meal reimbursements for administrative expenses. These changes support the Department's ongoing efforts in management and integrity improvement. (00-005)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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## USDA—FNS

## Final Rule Stage

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RIN: 0584-AC94

**382. • SPECIAL NUTRITION PROGRAMS: DISCLOSURE OF CHILDREN'S ELIGIBILITY INFORMATION TO STATE MEDICAID AND THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP)****Priority:** Other Significant**Legal Authority:** PL 106-224, sec 242**CFR Citation:** 7 CFR 215; 7 CFR 225; 7 CFR 226; 7 CFR 245**Legal Deadline:** Final, Statutory, October 20, 2000.**Abstract:** This rule permits the disclosure of children's free and reduced price meal and free milk eligibility information to State

Medicaid (Medicaid) and SCHIP, provided the State Child Nutrition Agency and agency that made the eligibility determination (determining agency) agree to the disclosure; limits the use of the information by recipients to identifying and seeking to enroll children in Medicaid and SCHIP; requires a written agreement between the determining agency and Medicaid/SCHIP; requires notification to households that their information may be shared with Medicaid/SCHIP; and requires that households be given the opportunity to elect not to have their information shared. Section 263 of the Act mandates promulgation without regard to notice and comment. (00-004)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/00	
Interim Final Rule Comment Period End	12/00/00	
Final Action	05/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302  
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RIN: 0584-AC95

**Department of Agriculture (USDA)  
Food and Nutrition Service (FNS)**

## Long-Term Actions

**383. REGULATORY REFORM: PROVISIONS RELATING TO FIRMS PARTICIPATING IN THE FOOD STAMP PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 278; 7 CFR 279**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
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RIN: 0584-AC48

**Department of Agriculture (USDA)  
Food and Nutrition Service (FNS)**

## Completed Actions

**384. FOOD STAMP PROGRAM: PAYMENT OF CERTAIN ADMINISTRATIVE COSTS OF STATE AGENCIES****Priority:** Other Significant**CFR Citation:** 7 CFR 277**Completed:**

Reason	Date	FR Cite
Final Action	05/24/00	65 FR 33433
Final Action Effective	06/23/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local, State

**Agency Contact:** Sheri Ackerman  
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RIN: 0584-AB66

**385. FOOD STAMP PROGRAM: FOOD STAMP RECIPIENT CLAIM ESTABLISHMENT AND COLLECTION STANDARDS****Priority:** Other Significant**CFR Citation:** 7 CFR 272; 7 CFR 273**Completed:**

Reason	Date	FR Cite
Final Action	07/06/00	65 FR 41752
Final Action Effective	08/01/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** Sheri Ackerman  
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RIN: 0584-AB88

**386. FOOD STAMP PROGRAM: RETAILER APPLICATION PROCESSING****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 278.1**Completed:**

Reason	Date	FR Cite
Final Action	08/30/00	65 FR 52642

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman  
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RIN: 0584-AC05

## USDA—FNS

## Completed Actions

**387. CHILD AND ADULT CARE FOOD PROGRAM: CHILD NUTRITION AND WIC REAUTHORIZATION ACT AMENDMENTS AND HEALTHY MEALS FOR HEALTHY AMERICANS ACT OF 1994**

Priority: Other Significant

CFR Citation: 7 CFR 226

**Completed:**

Reason	Date	FR Cite
Interim Final Rule	02/26/98	63 FR 9721
Interim Final Rule Effective	04/27/98	
Interim Final Rule Comment Period End	08/25/98	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman

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RIN: 0584-AC20

**388. FOOD STAMP PROGRAM REGULATORY REVIEW: CERTIFICATION OF ELIGIBLE HOUSEHOLDS**

Priority: Other Significant

CFR Citation: 7 CFR 273

**Completed:**

Reason	Date	FR Cite
Withdrawn-- Incorporated into RINS 0584-AC39 & AC40	07/18/00	

**Regulatory Flexibility Analysis**

Required: Undetermined

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC28

**389. NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM: ADDITIONAL MENU PLANNING ALTERNATIVES**

Priority: Other Significant

CFR Citation: 7 CFR 210; 7 CFR 220

**Completed:**

Reason	Date	FR Cite
Final Action	05/09/00	65 FR 26904
Final Action Effective	06/08/00	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC38

**390. ELECTRONIC BENEFIT TRANSFER (EBT) PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

Priority: Other Significant

CFR Citation: 7 CFR 274.3; 7 CFR 274.12

**Completed:**

Reason	Date	FR Cite
Final Action	10/04/00	65 FR 59105

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal, State

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC44

**391. FOOD STAMP PROGRAM: ELECTRONIC BENEFITS TRANSFER (EBT) BENEFIT ADJUSTMENTS**

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 273; 7 CFR 274

**Completed:**

Reason	Date	FR Cite
Final Action	07/05/00	65 FR 41321

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC61

**392. FOOD STAMP PROVISIONS OF THE BALANCED BUDGET ACT OF 1997**

Priority: Economically Significant.

Major under 5 USC 801.

CFR Citation: 7 CFR 272.1(g); 7 CFR 273.7(c); 7 CFR 273.7(d); 7 CFR 273.24

**Completed:**

Reason	Date	FR Cite
Withdrawn-- Incorporated into RIN 0584-AC45	07/26/00	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC63

**393. FSP: MAXIMUM ALLOTMENTS FOR ALASKA, HAWAII, GUAM, AND THE VIRGIN ISLANDS**

Priority: Substantive, Nonsignificant

CFR Citation: None

**Completed:**

Reason	Date	FR Cite
Final Action	05/19/00	65 FR 31875

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal, State, Local, Tribal

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC87

**394. FSP: MAXIMUM ALLOTMENTS FOR 48 STATES AND DC AND INCOME ELIGIBILITY STANDARDS AND DEDUCTIONS FOR 48 STATES AND DC, ALASKA, HAWAII, GUAM, AND THE VIRGIN ISLANDS**

Priority: Substantive, Nonsignificant

CFR Citation: None

**Completed:**

Reason	Date	FR Cite
Final Action	05/19/00	65 FR 31876

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal, State, Local, Tribal

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC88

BILLING CODE 3410-30-S

**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

**Proposed Rule Stage**

**395. TRANSPORTATION, STORAGE, AND OTHER HANDLING OF POTENTIALLY HAZARDOUS FOODS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 21 USC 601 to 695; 21 USC 451 to 470

**CFR Citation:** 9 CFR 308; 9 CFR 317; 9 CFR 325; 9 CFR 381

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS), in conjunction with the Food and Drug Administration (FDA), published an advance notice of proposed rulemaking (ANPRM) that addressed possible regulatory approaches to the transportation and storage of potentially hazardous foods (including meat and poultry products) and solicited comments and information from the public. FSIS and FDA have been considering various efforts to ensure that potentially hazardous foods outside of food processing establishments will be handled in a way that will minimize the growth of pathogenic organisms or other hazards. FSIS now anticipates rulemaking under the Federal Meat Inspection Act and the Poultry Products Inspection Act on proposed handling standards and information to assure that the public is informed of the manner of handling required to maintain these products in a wholesome condition.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/22/96	61 FR 59372
ANPRM Comment Period End	02/20/97	
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
 Phone: 202 720-5276

**RIN:** 0583-AC05

**396. GRANT AND INAUGURATION OF INSPECTION**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 et seq

**CFR Citation:** 9 CFR 304; 9 CFR 305

**Legal Deadline:** None

**Abstract:** FSIS is proposing to streamline and clarify the regulations in 9 CFR parts 304 and 305, which provide for grant and inauguration of inspection in meat and poultry establishments.

Under the current regulations, prior to commercial operation, establishments must apply for grant of inspection by submitting for FSIS review and approval establishment floor plans and blueprints, equipment specifications, and other information. If FSIS approves this information and grants inspection, a circuit supervisor visits the establishment to inform the operator of the applicable regulations. Subsequently, FSIS inspection is inaugurated and the establishment may begin manufacturing product for commercial distribution.

FSIS is proposing to streamline and clarify these requirements in light of (1) new section 304.3, under which compliance with requirements in the Agency's regulations on sanitation standard operating procedures and hazard analysis and critical control point systems (parts 416 and 417) are conditions for receiving inspection, and (2) eliminate the requirement that floor plans, blueprints, and equipment specifications be preapproved by FSIS before inspection is granted.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of

Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
 Phone: 202 720-5276

**RIN:** 0583-AC07

**397. PERFORMANCE STANDARD FOR THE CHILLING OR OTHER PROCESSING OF LIVESTOCK CARCASSES AND READY-TO-COOK POULTRY**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq

**CFR Citation:** 9 CFR 381

**Legal Deadline:** None

**Abstract:** FSIS is proposing to replace the regulations governing the chilling of poultry, including the specific time/temperature requirements, with a performance standard that both livestock and poultry slaughtering establishments would have to meet. The establishments would have to ensure that the chilling or other processing of livestock or poultry carcasses from which the hide, hair, or feathers have been removed ensures that bacterial populations on the carcasses are reduced or remain in the lag (or adjustment) phase of growth. Slaughtering establishments would be required to have data or information verifying that their procedures meet the standard. Verification data could be the results of microbiological tests or predictive mathematical modeling. This proposal is intended to provide the regulated industry with the flexibility it needs to design and implement innovative processes and control systems and improve consistency in the regulatory treatment of meat and poultry products. It is also consistent with FSIS's Pathogen Reduction/Hazard Analysis Critical Control Point Systems (HACCP) regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

## USDA—FSIS

## Proposed Rule Stage

**Government Levels Affected:**

Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

RIN: 0583-AC21

**398. PERFORMANCE STANDARDS FOR READY-TO-EAT MEAT AND POULTRY PRODUCTS**

**Regulatory Plan:** This entry is Seq. No. 12 in Part II of this issue of the **Federal Register**.

RIN: 0583-AC46

**399. PERFORMANCE STANDARDS FOR BACON****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq

**CFR Citation:** 9 CFR 424.22(b)**Legal Deadline:** None

**Abstract:** FSIS is proposing to revise the regulatory provisions concerning the production and testing of bacon (9 CFR 424.22(b)). FSIS is proposing to remove provisions that require the Agency to test bacon for nitrosamines and to remove provisions that prescribe the substances and amounts of such substances that must be used to produce bacon. FSIS is proposing to replace these provisions with performance standards that establishments producing bacon must meet. To meet these proposed performance standards, the process used would be required to prevent the multiplication of *Clostridium botulinum* and limit the multiplication of *Clostridium perfringens*. In addition, the process would be required to limit the presence of nitrosamines when the product is cooked. Under the hazard analysis and critical control points (HACCP) system, establishments would incorporate the proposed performance standards into their HACCP plans.

FSIS is proposing these regulations in order to allow establishments to develop alternative means of producing bacon. In addition, FSIS is proposing

these regulations to remove the Agency's testing responsibilities and to require establishments producing bacon, instead, to control and monitor their own processes.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

RIN: 0583-AC49

**400. SHELL EGG AND EGG PRODUCTS INSPECTION REGULATIONS**

**Regulatory Plan:** This entry is Seq. No. 13 in Part II of this issue of the **Federal Register**.

RIN: 0583-AC58

**401. LABELING—GENERIC APPROVAL AND REGULATION CONSOLIDATION****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451-470; 21 USC 601-695

**CFR Citation:** 9 CFR 317; 9 CFR 327; 9 CFR 381; 9 CFR 412

**Legal Deadline:** None

**Abstract:** This rulemaking will continue an effort initiated several years ago by amending FSIS's regulations to expand the types of labeling that are generically approved. FSIS plans to propose that the submission of labeling for approval prior to use be limited to certain types of labeling, as specified in the regulations. In addition, FSIS plans to reorganize and amend the regulations by consolidating labeling rules that currently are stated separately for livestock products and poultry products (in part 317, subpart A, and part 381,

subpart N, respectively) and by amending their provisions to set out clearly various circumstances under which these products are misbranded.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

RIN: 0583-AC59

**402. NUTRITION LABELING OF GROUND OR CHOPPED MEAT AND POULTRY PRODUCTS AND SINGLE-INGREDIENT PRODUCTS**

**Regulatory Plan:** This entry is Seq. No. 14 in Part II of this issue of the **Federal Register**.

RIN: 0583-AC60

**403. PATHOGEN REDUCTION; HAZARD ANALYSIS AND CRITICAL CONTROL POINTS (HACCP) SYSTEMS; ADDITIONS TO E. COLI CRITERIA AND SALMONELLA PERFORMANCE STANDARDS**

**Regulatory Plan:** This entry is Seq. No. 15 in Part II of this issue of the **Federal Register**.

RIN: 0583-AC63

**404. OTHER CONSUMER PROTECTION ACTIVITIES****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 and 451 et seq

**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) published an advance notice of proposed rulemaking

## USDA—FSIS

## Proposed Rule Stage

to request comments on the need and desirability of revising its approach to verifying that meat and poultry products are not misbranded, economically adulterated, or otherwise unacceptable for reasons that do not necessarily raise food safety concerns. FSIS will refer to these program activities as “other consumer protection” (OCP) activities. This notice defines and describes FSIS’ OCP activities and discusses the Agency’s need for revised regulations and verification and enforcement procedures.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/17/00	65 FR 14486
ANPRM Comment Period End	06/15/00	
NPRM	09/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC64

**405. INCORPORATION OF FOOD AND COLOR ADDITIVES INTO 21 CFR**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 602 et seq; 21 USC 451 et seq; 21 USC 321 et seq

**CFR Citation:** 9 CFR 318.7; 9 CFR 381.147

**Legal Deadline:** None

**Abstract:** This proposed rule will amend the meat and poultry inspection regulations by completing earlier efforts to incorporate current listings in 9 CFR into 21 CFR.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

Robert Post, Director, Labeling and Additives Policy Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 205-0279

**RIN:** 0583-AC69

**406. TRANSFER AND DEVELOPMENT OF SHELL EGG REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 1031 et seq

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This docket will announce the new delegation and transfer of shell egg requirements from AMS to FSIS, as well as the development of any new and necessary shell egg requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC70

**407. FOOD STANDARDS; GUIDING PRINCIPLES AND STANDARDS MODERNIZATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration (FDA) are proposing to modernize their food standards. The Agencies are proposing that the standards be reviewed and revised by outside parties and submitted to the Agencies via the petition process. The Agencies are proposing a set of guiding principles that interested parties outside the Agencies would use to establish, revise, or eliminate a food standard. The Agencies are proposing that petitions to establish standards or to revise or eliminate existing standards adhere to these guiding principles. If the guiding principles are adopted in the regulations, the Agencies may encourage petitioners to submit revised food standards that follow the guiding principles and will review petitions submitted to ensure that they adhere to the guiding principles. If a petition does adhere to the guiding principles, the Agencies may publish proposed rules to establish, revise, or eliminate standards based on the petition.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

Robert Post, Director, Labeling and Additives Policy Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 205-0279

**RIN:** 0583-AC72



## USDA—FSIS

## Proposed Rule Stage

**408. • SHARING RECALL INFORMATION WITH STATE AND OTHER FEDERAL GOVERNMENT AGENCIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301, 552; 7 CFR 1.3, 2.7**CFR Citation:** 9 CFR 390**Legal Deadline:** None**Abstract:** FSIS proposes to add regulations concerning sharing recall information with State and other Federal Government agencies.**Timetable:**

Action	Date	FR Cite
NPRM	09/19/00	65 FR 56503
NPRM Comment Period End	11/20/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department ofAgriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276**RIN:** 0583-AC75**409. • POULTRY INSPECTION: REVISION OF FINISHED PRODUCT STANDARDS WITH RESPECT TO INGESTA****Regulatory Plan:** This entry is Seq. No. 16 in Part II of this issue of the **Federal Register**.**RIN:** 0583-AC77**Department of Agriculture (USDA)  
Food Safety and Inspection Service (FSIS)**

## Final Rule Stage

**410. BEEF OR PORK WITH BARBECUE SAUCE; REVISION OF STANDARDS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 319**Legal Deadline:** None**Abstract:** The Food Safety and Inspection Service (FSIS) has been petitioned to amend the Federal meat inspection regulations by removing a meat yield requirement for the standardized products "Beef With Barbecue Sauce" and "Pork With Barbecue Sauce." Current regulations for these products require that the product contain not less than 50 percent of the species identified on the label and that the weight of the cooked pork or beef not exceed 70 percent of the uncooked weight of the meat. The first requirement is consistent with other meat and sauce requirements, but the second requirement is not. The petitioner asserts that the product standard (promulgated in 1952) does not reflect current production practices or the commercial marketability of beef or pork with barbecue sauce. The petitioner further states that producers of these products are at a competitive disadvantage with other meat and sauce producers, because other meat and sauce producers do not have a 70 percent yield requirement. For

example, producers of the standardized products "Beef with Gravy," "Meat Pies," and "Spaghetti with Meat and Sauce" and similar standardized products do not have any meat yield requirements.

FSIS has determined that the petitioner's request should be granted. This action would permit fair competition between meat and barbecue sauce producers, and poultry and sauce producers, and would provide consistent requirements in both the meat and poultry inspection regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	09/03/97	62 FR 46450
NPRM Comment Period End	11/03/97	
Final Action	09/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276**RIN:** 0583-AC09**411. RETAINED WATER IN RAW MEAT AND POULTRY PRODUCTS; POULTRY-CHILLING PERFORMANCE STANDARDS****Regulatory Plan:** This entry is Seq. No. 17 in Part II of this issue of the **Federal Register**.**RIN:** 0583-AC26**412. MEAT PRODUCED BY ADVANCED MEAT/BONE SEPARATION MACHINERY AND RECOVERY SYSTEMS****Regulatory Plan:** This entry is Seq. No. 18 in Part II of this issue of the **Federal Register**.**RIN:** 0583-AC51**413. • PERFORMANCE STANDARDS FOR ON-LINE ANTIMICROBIAL REPROCESSING OF PRE-CHILL POULTRY CARCASSES****Priority:** Other Significant**Legal Authority:** 21 USC 451-470**CFR Citation:** 9 CFR 381; 9 CFR 424**Legal Deadline:** None**Abstract:** This rule is proposing to allow, on a voluntary basis, the on-line reprocessing of pre-chill poultry carcasses that are accidentally contaminated with digestive tract contents during slaughter. The treated carcasses must meet pre-chill performance standards of less than 0.5 percent for Salmonella and less than 1.0 percent for E. coli.

USDA—FSIS

Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC73

**414. • INCREASES IN FEES FOR MEAT, POULTRY, AND EGG PRODUCTS INSPECTION SERVICES—FISCAL YEAR (FY) 2001**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 138F; 7 USC 394, 1622 and 1624; 21 USC 451 et seq; 21 USC 601 to 695; 21 USC 1031 to 1056

**CFR Citation:** 9 CFR 391.2; 9 CFR 391.3; 9 CFR 391.4; 9 CFR 590.126; 9 CFR 590.128(a)

**Legal Deadline:** None

**Abstract:** FSIS is increasing the fees that it charges meat and poultry establishments, egg product plants, importers, and exporters for providing voluntary inspection services, overtime and holiday inspection services, identification services, certification

services, and laboratory services: The Agency intends to make the increase in fees effective October 8, 2000.

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/00	65 FR 45545
NPRM Comment Period End	08/23/00	
Final Action	09/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC74

**415. • AGENCY ORGANIZATION**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451-470; 21 USC 601-695; 21 USC 1031-1056

**CFR Citation:** 9 CFR 300; 9 CFR 301; 9 CFR 306; 9 CFR 320; 9 CFR 381; 9 CFR 590

**Legal Deadline:** None

**Abstract:** This rulemaking will amend FSIS's regulations by consolidating and updating organizational provisions that, until now, have been addressed separately in regulations adopted under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and in some instances, the Egg Products Inspection Act. The rulemaking will complete a task that the Agency began in a December 31, 1998, final rule that added information on FSIS's current responsibilities and organizational structure to the Agency's regulations and reflected the current allocation of responsibilities within the Department by redesignating regulations adopted under the EPIA and transferring them to FSIS's regulations (from those of the Agricultural Marketing Service).

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Sectors Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC78

Department of Agriculture (USDA)

Long-Term Actions

Food Safety and Inspection Service (FSIS)

**416. ANTE-MORTEM AND POST-MORTEM INSPECTION OF LIVESTOCK AND POULTRY**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 9 CFR 309; 9 CFR 310; 9 CFR 381

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

**RIN:** 0583-AC43

**417. REQUIREMENTS FOR DISPOSITION AND DISPOSAL OF INSPECTED RAW MEAT AND POULTRY PRODUCTS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 9 CFR 311; 9 CFR 314; 9 CFR 320; 9 CFR 325; 9 CFR 381; 9 CFR 428; 9 CFR 455

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276

**RIN:** 0583-AC44

**418. REWORKING OF MEAT AND POULTRY CARCASSES ACCIDENTALLY CONTAMINATED DURING EVISCERATION**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 310; 9 CFR 381; 9 CFR 433

## USDA—FSIS

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
NPRM Comment Period End	02/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276**RIN:** 0583-AC53**419. REFORM OF REGULATIONS ON IMPORTED LIVESTOCK AND POULTRY PRODUCTS****Priority:** Other Significant**CFR Citation:** 9 CFR 327; 9 CFR 381**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276**RIN:** 0583-AC56**420. AGENCY TERMINOLOGY****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 301; 9 CFR 311; 9 CFR 327; 9 CFR 381; 9 CFR 590; ...**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276**RIN:** 0583-AC57**421. FOOD LABELING; NUTRIENT CONTENT CLAIMS, DEFINITION OF THE TERM HEALTHY****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 371; 9 CFR 381**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/28/99	64 FR 72490
Interim Final Rule Comment Period End	01/27/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276

Robert Post

Phone: 202 205-0279

**RIN:** 0583-AC65**422. ELIMINATION OF REQUIREMENTS FOR TOTAL QUALITY CONTROL SYSTEMS****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 381**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276**RIN:** 0583-AC68

## Department of Agriculture (USDA)

## Food Safety and Inspection Service (FSIS)

## Completed Actions

**423. ELIMINATION OF REQUIREMENTS FOR PARTIAL QUALITY CONTROL PROGRAMS****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Final Rule	05/30/00	65 FR 34381

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** Federal, State**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276**RIN:** 0583-AC35**424. FEE INCREASE FOR EGG PRODUCTS INSPECTION—YEAR 2000****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 590.126; 9 CFR 590.128(a); 9 CFR 590.130**Completed:**

Reason	Date	FR Cite
Final Rule	07/20/00	65 FR 44948

**Regulatory Flexibility Analysis**  
**Required:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276Michael B. Zimmerer  
Phone: 202 720-3367**RIN:** 0583-AC71

BILLING CODE 3410-DM-S

**Department of Agriculture (USDA)**  
**Foreign Agricultural Service (FAS)**
**Final Rule Stage**
**425. EXPORT SALES REPORTING REQUIREMENT**
**Priority:** Other Significant**Legal Authority:** 7 USC 5712**CFR Citation:** 7 CFR 20**Legal Deadline:** None

**Abstract:** Consideration of a proposal to add meat and meat products to the list of commodities for which advanced notice of export is reported and a streamlined electronic reporting system as the means to accomplish that reporting.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/14/96	61 FR 58343
ANPRM Comment Period End	01/13/97	
NPRM	03/03/00	65 FR 11483
NPRM Comment Period End	05/02/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley, Regulatory Coordinator, Department of

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**RIN:** 0551-AA51
**Department of Agriculture (USDA)**  
**Foreign Agricultural Service (FAS)**
**Long-Term Actions**
**426. CCC SUPPLIER CREDIT GUARANTEE PROGRAM**
**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 7 CFR 1493**Timetable:**

Action	Date	FR Cite
NPRM	07/19/95	60 FR 37025
NPRM Comment Period End	09/18/95	60 FR 37025
Interim Final Rule	07/01/96	61 FR 33825
Interim Final Rule Effective	08/30/96	
Interim Final Rule Comment Period End	12/30/96	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 0551-AA30
**427. FACILITY GUARANTEE PROGRAM**
**Priority:** Other Significant**CFR Citation:** 7 CFR 17; 7 CFR 1493**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/01/93	58 FR 11786
Interim Final Rule Comment Period End	06/01/93	

Action	Date	FR Cite
Interim Final Rule	08/08/97	62 FR 42651
Interim Final Rule Comment Period End	10/07/97	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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**RIN:** 0551-AA35
**Department of Agriculture (USDA)**  
**Foreign Agricultural Service (FAS)**
**Completed Actions**
**428. • 7 CFR PART 6—LICENSING FOR CERTAIN SUGAR-CONTAINING PRODUCTS UNDER TARIFF-RATE QUOTA (TRQ)**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 19 USC 1202; 19 USC 3513; 19 USC 3601; PL 27-258; PL 103-465, paras 103 and 104, 96 Stat 1051, as amended; Presidential Proclamation 7235 (10-7-99), 64 FR 55609; Additional US Note 8 to chap 17 of

the Harmonized Tariff Schedule of the US

**CFR Citation:** 7 CFR Part 6**Legal Deadline:** None

**Abstract:** The rule provides for licensing of TRQ imports of certain sugar-containing products with over 10 percent by dry weight of sugar. Imports are valued at about \$57 million annually consisting mainly of dry ice tea and lemonade mixes. Imports from Canada (91% of the total) must be

accompanied by an export permit issued by the Canadian Government to enter under the TRQ. The rule is intended to ensure that the opportunity to fill this TRQ continues to be based on customer requirements.

**Timetable:**

Action	Date	FR Cite
Withdrawn	09/25/00	65 FR 57562

**Regulatory Flexibility Analysis Required:** No

## USDA—FAS

## Completed Actions

**Small Entities Affected:** No  
**Government Levels Affected:** None  
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**RIN:** 0551-AA59  
**BILLING CODE** 3410-10-S

**Department of Agriculture (USDA)**  
**Forest Service (FS)**

## Proposed Rule Stage

**429. HYDROPOWER APPLICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 551; 43 USC 1761

**CFR Citation:** 36 CFR 251

**Legal Deadline:** None

**Abstract:** The Forest Service is revising its current policy and procedures, implemented in February 1987, concerning administration of hydropower authorizations and the processing of proposals for hydropower projects affecting National Forest System lands. These revisions are necessary to make Agency policy and procedures consistent with regulatory changes by the Federal Energy Regulatory Commission (FERC). The proposed policy was published in the Federal Register on May 22, 1995 (60 FR 27153), for a 60-day public comment period, which was extended for another 45 days (60 FR 36401). As a result of the comments received, substantial changes were made to the proposed policy (60 FR 36401). Therefore, the Forest Service is publishing a revised proposed policy for public comment.

**Timetable:**

Action	Date	FR Cite
NPRM	05/22/95	60 FR 27153
NPRM Comment Period Extended	07/17/95	
NPRM Comment Period End	09/05/95	
Second NPRM	09/00/01	
Second NPRM Comment Period End	11/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AA47

**430. SMALL TRACTS ACT REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 521(c) to 521(i)

**CFR Citation:** 36 CFR 254

**Legal Deadline:** None

**Abstract:** Implementation of the Agency's Small Tracts regulations (adopted in 1984) has revealed an inadvertent inconsistency between the regulations at 36 CFR 254.35(f) and 254.41(a) and the legislative history of the Small Tracts Act of January 12, 1983. The regulations imply that the disposal of mineral fractions by sale can only be made in response to an application from an abutting landowner, thus discouraging the conveyance by sale to the public. The Act clearly authorizes sale of mineral fractions to the public through public sale, as well as individual applications, provided that certain conditions are met. The revisions will clarify the application of the Act to ensure that both individual applications and public sale are permissible means of disposing of qualifying tracts.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/01	
NPRM Comment Period End	04/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AA79

**431. SPECIES SURPLUS TO DOMESTIC MANUFACTURING NEEDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 620 et seq

**CFR Citation:** 36 CFR 223.200

**Legal Deadline:** None

**Abstract:** This proposed rule would amend 36 CFR 223.200 to list species proposed to be surplus to domestic manufacturing needs. This proposed rule would implement a portion of section 620a(b) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 USC 620 et seq.). Section 620a(a) of the Act provides that no person who acquires unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States may export such timber from the United States, or sell, trade, exchange, or otherwise convey such timber from the United States, unless such timber has been determined under subsection (b) to be surplus to the needs of timber manufacturing facilities in the United States. Section 620a(b) of the Act provides that the prohibition contained in section (a) shall not apply to specific quantities of grades and species of unprocessed timber originating in Federal lands which the Secretary determines, through rulemaking, to be surplus to domestic manufacturing needs.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

## USDA—FS

## Proposed Rule Stage

**Government Levels Affected:** Federal

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**RIN:** 0596—AB27

**432. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; EXTENSION OF TIMBER SALE CONTRACTS TO PERMIT URGENT REMOVAL OF OTHER TIMBER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472a; 16 USC 618; 16 USC 620

**CFR Citation:** 36 CFR 223.50; 36 CFR 223.53

**Legal Deadline:** None

**Abstract:** This rule and policy change will provide for extension of National Forest System (NFS) timber sale contracts when such extension will permit the prompt removal and utilization of non-NFS-owned timber damaged by catastrophic events. The change will define the responsibilities of the parties for requesting and approving such extensions and specify when such extension should be approved. This change will also allow for the use of scarce timber resources and the recovery of economic benefits from timber that might otherwise be lost because of contractual obligations to harvest undamaged timber.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/01	
NPRM Comment Period End	07/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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**RIN:** 0596—AB48

**433. LAW ENFORCEMENT SUPPORT ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 1011(f); 16 USC 472; 16 USC 551; 16 USC 559(a) to 559(g); 40 USC 484(m)

**CFR Citation:** 36 CFR 262

**Legal Deadline:** None

**Abstract:** In February 1994, the Forest Service published proposed rule changes for parts 261 and 262 of title 36 of the Code of Federal Regulations. Due to the high level of interest in and comment on part 261, the decision was made to publish a second proposed rule. The majority of the public comment on part 262 referred to the definition section which has been revised to respond to those comments. The Forest Service has decided to issue a second proposed rule for comment on part 262, Law Enforcement Support Activities. Proposed revisions to part 261 will proceed separately.

**Timetable:**

Action	Date	FR Cite
NPRM	02/16/94	59 FR 7880
NPRM Comment Period End	05/18/94	
Second NPRM	04/00/01	
Second NPRM Comment Period End	06/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0596—AB61

**434. NONCOMPETITIVE SALE OF TIMBER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472(a)

**CFR Citation:** 36 CFR 223.85

**Legal Deadline:** None

**Abstract:** This proposed rule would revise 36 CFR 223.85 by removing references to section 2001(k) of Public Law 104-19 (109 Stat. 246) and define “extraordinary conditions” to allow forest officers, without advertisement, to make modifications to timber and forest product sales, which result in the substitution of timber or forest products from outside the sale area specified in the contract. Under the proposed rule, substitute timber or forest products would have to come from the same administrative national forest and meet Agency requirements for compliance with the National Environmental Policy Act and other environmental laws. This proposed rule would not compel a timber purchaser to accept a timber sale modification offered under this rule. The rule only authorizes the Forest Service to propose modifications and to enter into discussions with purchasers on such modifications.

This proposed rule will reduce timber sale cancellations and partial cancellations, thus reducing future damage claims on timber sales.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
NPRM Comment Period End	05/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0596—AB70

**435. CATEGORICAL EXCLUSION FOR CERTAIN SPECIAL USES PERMIT ACTIONS (FSH 1909.15, CHAPTER 30)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 4321 to 4346

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** In April 1997, the Forest Service completed a reengineering study of its special uses program. One finding in that study was that the Forest Service is conducting extensive National Environmental Policy Act (NEPA) analysis and documentation for

## USDA—FS

## Proposed Rule Stage

the renewal or transfer of ownership of special use authorizations having no significant effect on the human environment, either individually or cumulatively. This level of NEPA compliance is costly, time consuming, and not commensurate with the risk attributed to the activity. Therefore, the Forest Service proposes to add a new category of categorical exclusions from NEPA documentation at sections 31.1b and 31.2 of FSH 1909.15, Environmental Policy and Procedures Handbook. This action would give clearer direction regarding the NEPA obligation, when issuance of a special use authorization is a purely ministerial action and no changes are proposed in permitted activities or facilities.

Further, the Forest Service proposes to amend section 30.3 to clarify the NEPA documentation that is needed for processing applications and authorizations under a categorical exclusion when extraordinary circumstances exist. There is confusion surrounding section 30.3 about the "mere presence" of an extraordinary circumstance and the implication of a need for an Environmental Assessment (EA) or Environmental Impact Statement (EIS). The Forest Service proposes to amend this section to provide that an identified extraordinary circumstance must clearly have a significant impact on the National Forest resource to merit preparation of an EA or EIS.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0596-AB73

**436. CLARIFICATION OF EXEMPTIONS FROM SPECIAL-USE AUTHORIZATIONS**

Priority: Info./Admin./Other

Legal Authority: 16 USC 477 to 482; 16 USC 551; 43 USC 1761 to 1771

CFR Citation: 36 CFR 251.50(c)

Legal Deadline: None

**Abstract:** In April 1997, the Forest Service completed a reengineering study of its special uses program on how to manage the program in a more businesslike, customer-service-oriented way. The Agency proposes the following revisions to 36 CFR 251.50 that would implement recommendations from this study. The study determined that many units are issuing special use authorizations unnecessarily, thereby increasing workloads. The study concluded that the Agency should clarify the special uses rules at section 251.50(a) to make explicitly clear that special use authorizations should not be issued for activities that are regulated by other Forest Service regulations; for example, those governing the disposal of timber (part 223); minerals (part 228); the use of forest development roads and trails (part 212 and section 251.110); and the grazing of cattle (part 222). The study also concluded that section 251.50(d) should be revised to direct that special use authorizations should not be issued where such authorization would serve no land or resource management objective and would have nominal effects on National Forest System lands; for example, where activities are adequately regulated by other governmental entities or where an authorized officer determines that normal operation and maintenance by the holder is within the scope of a right-of-way, easement, or other valid existing real property interest. Further, the rule at section 251.50(c) would be revised to clarify that, in emergency situations, a special use authorization should be sought at the earliest opportunity following the emergency to ensure that appropriate measures are carried out to protect National Forest System lands after the emergency situation no longer exists.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0596-AB74

**437. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; TIMBER EXPORT AND SUBSTITUTION RESTRICTIONS**

Priority: Other Significant

Legal Authority: 16 USC 620

CFR Citation: 36 CFR 223; 36 CFR 261

Legal Deadline: None

**Abstract:** The proposed rule for timber export and substitution restrictions would implement the Forest Resources Conservation and Shortage Relief Act of 1990, as amended. The proposed rule defines the certain terms necessary to facilitate uniform compliance; prohibits transfer of unprocessed private timber for export by a person who possesses or acquires unprocessed Federal timber; prohibits export of such unprocessed private timber by a third or successive party; prescribes procedures for reporting the acquisition and disposition of NFS and private timber requiring domestic processing, including transfers; prescribes procedures for identifying unprocessed National Forest Service and private timber requiring domestic processing; and establishes procedures for assessing civil and criminal penalties and applying administrative remedies for violations of the Act, its implementing regulations, and contracts subject to the Act.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of

**USDA—FS**

**Proposed Rule Stage**

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**Department of Agriculture (USDA)  
Forest Service (FS)**

**Final Rule Stage**

**438. INDIAN ALLOTMENTS ON NATIONAL FOREST SYSTEM LANDS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 472; 16 USC 551; 16 USC 1603; 43 USC 1740; 25 USC 337

**CFR Citation:** 36 CFR 254

**Legal Deadline:** None

**Abstract:** This rule sets forth Forest Service procedures and role in the regulation of Indian allotments on National Forest System land. The Indian Allotment Act, as amended, authorizes the Secretary of the Interior to make allotments of National Forest System lands to Indians for homesteading and agricultural and grazing purposes. The Forest Service has relied upon USDI rules and procedures at 43 CFR 2533 to govern its involvement in Indian allotment cases. Litigation and a decision by the Interior Board of Land Appeals require the Forest Service to set forth its own regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23473
NPRM Comment Period End	07/22/87	
Final Action	09/00/01	
Final Action Effective	10/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AA52

**439. NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLANNING**

**Regulatory Plan:** This entry is Seq. No. 19 in Part II of this issue of the **Federal Register**.

**RIN:** 0596-AB20

**440. DISPOSAL OF NATIONAL FOREST TIMBER; CANCELLATION OF TIMBER SALE CONTRACTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 472a; 16 USC 551; 16 USC 618

**CFR Citation:** 36 CFR 223.30; 36 CFR 223.40; 36 CFR 223.116

**Legal Deadline:** None

**Abstract:** Current regulations governing cancellation of National Forest timber sale contracts do not adequately protect the Government's financial interests in the event the Forest Service is forced to cancel contracts due to events beyond its control arising from compliance with environmental statutes. This rulemaking would remove an unworkable compensation-of-damages formula and establish a termination-for-environmental-protection clause in timber sale contracts, a standard in most Federal procurement contracts.

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68690
NPRM Comment Period End	02/13/97	
Final Action	09/00/01	
Final Action Effective	10/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB21

**441. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1764; 30 USC 181

**CFR Citation:** 36 CFR 251

**Legal Deadline:** None

**Abstract:** The objective of this proposal is to incorporate into regulation the authority contained in the Mineral Leasing Act and the Federal Land Policy and Management Act to reimburse the United States for reasonable administrative costs associated with the issuance and administration of special-use authorizations on National Forest System lands. It responds to a recommendation contained in GAO Audit Report RCED-97-16 (12/96).

**Timetable:**

Action	Date	FR Cite
NPRM	11/24/99	64 FR 66341
NPRM Comment Period Extended	12/29/99	
NPRM Comment Period End	02/04/00	
Comment Period Extended	02/25/00	65 FR 10042
Comment Period End	03/09/00	
Final Action	10/00/00	
Final Action Effective	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Additional Information:** Cost reimbursement for processing special-use applications and administration of special-use authorizations was originally included under RIN 0596-AA36. All provisions pertaining to the special-use application and administration process have been merged with RIN 0596-AB35. Thus, this rulemaking addresses only the cost-reimbursement provisions.

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of



## USDA—FS

## Final Rule Stage

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**RIN:** 0596-AB36

#### 442. APPEAL OF DECISIONS RELATING TO OCCUPANCY AND USE OF NATIONAL FOREST SYSTEM LANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472; 16 USC 551

**CFR Citation:** 36 CFR 251; 36 CFR 214

**Legal Deadline:** None

**Abstract:** These proposed regulations would redesignate these appeals rules as a new part 214, thus placing all appeals and notices and comment rules in close proximity. Additionally, this proposed rule would revise a number of existing provisions. For example, changes to part 251 would clarify the application of this rule to the issuance of permits for occupancy and use of National Forest System lands. When 36 CFR part 251, subpart C, regulations were promulgated in 1989, NEPA analysis and documentation was not consistently applied to the authorization of special uses. Now the authorization and the issuance of permits and other authorization requires application of the NEPA process prior to issuance. In addition, since these regulations were implemented, Congress has passed the Appeal Reform Act. The proposed changes to the permit-related appeal rules are needed to make this regulation consistent with regulations at 36 CFR part 215. Among specific proposed changes being considered are removing the second level of appeal opportunity, removing the discretionary review option, shortening timeframes for scheduling oral presentations, and changes to conform terminology and definitions with 36 CFR part 215.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/00	
Interim Final Rule	12/00/00	
Comment Period End		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB45

#### 443. PREFERENCE FOR VISITOR SERVICE; ALASKA NATIONAL FOREST CONSERVATION SYSTEM UNITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3197

**CFR Citation:** 36 CFR 251

**Legal Deadline:** None

**Abstract:** The Forest Service is issuing regulations to define and establish procedures for administering the statutory rights and preferences established by the Alaska National Interest Lands Conservation Act of 1980 for historical operators, Native Corporations, and local residents to conduct revenue producing visitor services on certain National Forest System Lands in Alaska. The regulations are necessary to comply with section 1307 of the Alaska National Interest Lands Conservation Act, which requires the Secretary of Agriculture to give preference to persons he determines by rule are local residents. The regulations, which have been developed in close consultation with the other Federal land managing agencies in Alaska, will apply only to Conservation System Units administered by the Forest Service. As applied to these regulations, administered Conservation System Units are Forest Service national monuments units of the National Wild and Scenic River Systems, National Trails System, and the National Wilderness Preservation System in Alaska.

#### Timetable:

Action	Date	FR Cite
NPRM	04/25/97	62 FR 20140
NPRM Comment Period End	06/24/97	
Final Action	03/00/01	
Final Action Effective	04/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB57

#### 444. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM

**Regulatory Plan:** This entry is Seq. No. 20 in Part II of this issue of the **Federal Register**.

**RIN:** 0596-AB67

#### 445. APPEAL OF REGIONAL GUIDES AND NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLANS; MULTI-AGENCY DECISIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 551; 16 USC 472

**CFR Citation:** 36 CFR 217

**Legal Deadline:** None

**Abstract:** The Forest Service is increasingly cooperating with other Federal land managing agencies to address resource management issues that cross Federal administrative boundaries. An example of such an effort is the Interior Columbia Basin Ecosystem Management Project (ICBEMP). Through joint planning and decisionmaking, the Forest Service and the Bureau of Land Management (BLM) can provide more consistent direction for the management of common resources in the Columbia Basin and for other joint management projects. Because the Forest Service and the BLM each have their own separate and differing processes for administrative review of planning decisions (appeals in the Forest Service and protests in the BLM) and because it is important to maintain consistency in the decisions made and how they are implemented across Federal jurisdictions, a single process for administrative review of the joint ICBEMP decision is needed. This rule permits the Forest Service to waive its appeal process in favor of an administrative review process provided by another agency when a Forest Service decision is embodied in a multi-agency planning document. The intended effects are to provide the public the benefit of one administrative review process and to simplify what

**USDA—FS**

**Final Rule Stage**

would otherwise be a complicated and burdensome review process.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/00	
Interim Final Rule	02/00/01	
Comment Period End		

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB76

**446. SPECIAL AREAS: ROADLESS AREA CONSERVATION**

**Regulatory Plan:** This entry is Seq. No. 21 in Part II of this issue of the **Federal Register**.

**RIN:** 0596-AB77

**Department of Agriculture (USDA) Forest Service (FS)**

**Completed Actions**

**447. NATIONAL ENVIRONMENTAL POLICY ACT; REVISED POLICY AND PROCEDURES; CATEGORICAL EXCLUSIONS**

**Priority:** Other Significant

**CFR Citation:** 36 CFR 260

**Completed:**

Reason	Date	FR Cite
Withdrawn	09/11/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly  
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 Email: mconnolly@fs.fed.us  
**RIN:** 0596-AB54

**Completed:**

Reason	Date	FR Cite
Withdrawn	09/11/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly  
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 Email: mconnolly@fs.fed.us  
**RIN:** 0596-AB69

**Agency Contact:** Marian P. Connolly  
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 Email: mconnolly@fs.fed.us

**RIN:** 0596-AB72

**450. ADMINISTRATION; COOPERATION WITH OTHER FEDERAL AGENCIES (36 CFR PART 211, SUBPART C)**

**Priority:** Info./Admin./Other

**CFR Citation:** 36 CFR 211

**Completed:**

Reason	Date	FR Cite
Withdrawn	09/11/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly  
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**RIN:** 0596-AB78  
 BILLING CODE 3410-11-S

**448. NOTICE, COMMENT, AND APPEAL PROCEDURES FOR NATIONAL FOREST SYSTEM PROJECTS AND ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 215

**449. SMALL BUSINESS TIMBER SALE SET-ASIDE RECOMPUTATION BASIS**

**Priority:** Info./Admin./Other

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Final Action	07/21/00	65 FR 45354
Final Action Effective	08/21/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Department of Agriculture (USDA) Office of the Secretary (AgSEC)**

**Proposed Rule Stage**

**451. DESIGNATION OF RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES**

**Priority:** Other Significant

**Legal Authority:** PL 105-277, sec 766

**CFR Citation:** 7 CFR 25

**Legal Deadline:** None

**Abstract:** This rule sets forth the policies and procedures for designating 20 additional rural enterprise communities. This rule also sets forth

the policies and procedures for a newly authorized grant program for Round II rural empowerment zones and Round II's enterprise communities.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Victor Vasquez, Deputy Administrator, Office of Community Development, Department of Agriculture, Office of the Secretary, Room 701, Reporters Building, Washington, DC 20024-3203  
 Phone: 202 619-7980

**RIN:** 0503-AA20

**Department of Agriculture (USDA)**  
**Office of the Secretary (AgSEC)**
**Long-Term Actions**
**452. NONDISCRIMINATION IN USDA-  
CONDUCTED PROGRAMS AND  
ACTIVITIES**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 15

**Timetable:**

Action	Date	FR Cite
NPRM	04/23/96	61 FR 17851

Action	Date	FR Cite
NPRM Comment Period End	05/23/96	
Second NPRM	11/10/98	63 FR 62962
Second NPRM Comment Period End	12/10/98	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rosalind D. Gray  
 Phone: 202 720-5212

**RIN:** 0503-AA15

**Department of Agriculture (USDA)**  
**Office of the Secretary (AgSEC)**
**Completed Actions**
**453. UNIFORM ADMINISTRATIVE  
REQUIREMENTS FOR GRANTS AND  
COOPERATIVE AGREEMENTS TO  
STATE AND LOCAL GOVERNMENTS**
**Priority:** Other Significant

**CFR Citation:** 7 CFR 3016

**Completed:**

Reason	Date	FR Cite
Final Action	08/14/00	65 FR 49474

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** State,  
 Local, Tribal

**Agency Contact:** Gerald Miske  
 Phone: 202 720-1553

**RIN:** 0503-AA16

**BILLING CODE** 3410-90-S

**Department of Agriculture (USDA)**  
**Rural Business-Cooperative Service (RBS)**
**Proposed Rule Stage**
**454. BUSINESS AND INDUSTRY  
DIRECT LOAN PROGRAM**
**Priority:** Other Significant

**Legal Authority:** 7 USC 1989; 42 USC  
 1480; 5 USC 301

**CFR Citation:** 7 CFR 1980 subpart A;  
 7 CFR 1980 subpart E; 7 CFR 1942  
 subpart A; 7 CFR 1951 subpart E; 7  
 CFR 4274 subpart I; 7 CFR 4287  
 subpart H

**Legal Deadline:** None

**Abstract:** The Agency currently utilizes RD Instructions 1980-A and E, 1942-A, and 1951-E to make and service new and existing direct B&I loans. These regulations contain very limited direction in direct B&I loanmaking. The Agency is writing new regulations to replace the instructions for direct loanmaking and servicing. This program will complement the Agency's existing guaranteed (B&I) loan program.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses,  
 Governmental Jurisdictions,  
 Organizations

**Government Levels Affected:** Local,  
 Tribal

**Agency Contact:** Richard Bonnet,  
 Senior Loan Specialist, Processing  
 Division, Department of Agriculture,  
 Rural Business-Cooperative Service,  
 Room 6864/Stop 3221, 1400  
 Independence Avenue SW,  
 Washington, DC 20250  
 Phone: 202 720-1804  
 Email: rick.bonnet@usda.gov

**RIN:** 0570-AA22

**455. BUSINESS AND INDUSTRIAL  
GUARANTEED LOAN PROGRAM—  
MISCELLANEOUS CHANGES**
**Priority:** Other Significant

**Legal Authority:** 7 USC 1989; 42 USC  
 1480; 5 USC 301

**CFR Citation:** 7 CFR 4287 subpart B;  
 7 CFR 4279 subpart A; 7 CFR 4279  
 subpart B

**Legal Deadline:** None

**Abstract:** Revisions are proposed in the following areas: Exclusion of financing agriculture production, limiting debt refinancing, definition of rural and rural area, criteria for reducing percent of guarantee, revising loan priority criteria, eligibility issues when an applicant is delinquent on Federal debt, title IX provisions, additional administrative guidance, tightening

eligibility criteria for non-bank lenders, removing the need for a Regional Attorney review for transfers and assumptions of existing loans, limiting debt refinancing, limiting packaging fees, adjusting loan priorities, additional application requirements for certain applicants, and various other minor editorial changes.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
NPRM Comment Period End	05/00/01	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:**  
 Undetermined

**Agency Contact:** Richard Bonnet,  
 Senior Loan Specialist, Processing  
 Division, Department of Agriculture,  
 Rural Business-Cooperative Service,  
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**RIN:** 0570-AA23

## USDA—RBS

## Final Rule Stage

**456. AFFIRMATIVE FAIR HOUSING MARKETING PLAN**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1703 subpart B; 7 CFR 1942 subpart G; 7 CFR 4284 subpart D; 7 CFR 4287 subpart B; 7 CFR 4279 subpart B; 7 CFR 4274 subpart D; 7 CFR 4280 subpart A; 7 CFR 4287 subpart H

**Legal Deadline:** None

**Abstract:** This action will incorporate the requirement for housing-related projects (such as apartment buildings, nursing homes, group homes, and assisted living type facilities) to develop an Affirmative Fair Housing Marketing Plan (plan) when receiving funding from the Intermediary Relending Program, Rural Business Enterprise Grant Program, Rural Business Opportunity Grant Program, Rural Economic Development Loan and Grant Programs, and the Business and Industry Direct and Guaranteed Loan Programs. The plan will describe strategies to attract applications from all groups in a housing market area and efforts to reach those persons in the market area who traditionally would not be expected to apply for housing. The Rural Housing Service Multifamily Housing Program regulations currently include this borrower requirement. We estimate this action will impact a total of 100 housing-related projects not previously required to complete a plan.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** David Lewis, Loan Specialist Servicing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6858/Stop 3224, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 690-0797

**RIN:** 0570-AA24

**457. BUSINESS AND INDUSTRY GUARANTEED LOAN PROGRAM—FINANCING COOPERATIVE STOCK**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301

**CFR Citation:** 7 CFR 4279 subpart B; 7 CFR 4279 subpart A

**Legal Deadline:** None

**Abstract:** The Agency proposes to revise the Business and Industry Program regulations to incorporate additional guidance and eliminate or reduce certain requirements when financing cooperative stock. It also proposes to develop a streamlined application form when financing working capital, which includes cooperative stock.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Richard Bonnet, Senior Loan Specialist, Processing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/Stop 3221, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1804  
Email: rick.bonnet@usda.gov

**RIN:** 0570-AA26

**458. RURAL BUSINESS ENTERPRISE GRANT PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 7 USC 1932; 7 USC 1989; 16 USC 1005

**CFR Citation:** 7 CFR 1942; 7 CFR 4284

**Legal Deadline:** None

**Abstract:** The Agency proposes to rewrite and renumber 7 CFR 1942, subpart G, "Rural Business Enterprise Grant Program" to 7 CFR part 4284, subpart B, to incorporate public law changes and clarify administrative regulatory procedures and guidelines in order to improve program administration.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Amy Cavanaugh, Loan Specialist, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250-3225  
Phone: 202 690-2516  
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**RIN:** 0570-AA28

**459. ALLOCATION FORMULAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1940 subpart L

**Legal Deadline:** None

**Abstract:** This action will amend existing regulations for allocating program funds among Agency State offices. It will add the Rural Business Opportunity Grant Program and update the formulas used for Rural Business Enterprise Grant and Business and Industry Programs.

**Timetable:**

Action	Date	FR Cite
NPRM	08/03/00	65 FR 47695
NPRM Comment Period End	10/02/00	65 FR 47695
Final Action	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Wayne Stansbery, Loan Specialist, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400

## USDA—RBS

## Final Rule Stage

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RIN: 0570-AA30

**Department of Agriculture (USDA)**  
**Rural Business-Cooperative Service (RBS)**

## Final Rule Stage

**460. RURAL ECONOMIC  
DEVELOPMENT LOAN AND GRANT  
PROGRAM**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 940c

**CFR Citation:** 7 CFR 1703 subpart B;  
7 CFR 4280 subpart A

**Legal Deadline:** None

**Abstract:** This action is part of a reinvention laboratory initiative of the Department of Agriculture and Rural Business-Cooperative Service. The regulations will be written in a "plain language" style. The regulation will be simpler and improve the ease of use by the public and program beneficiaries. The regulation will be written in a question and answer format from the perspective of questions from the applicant under this program. The regulations will simplify the application format, review and selection process, and recipient's recordkeeping requirements. It will also add a section on the appeal of adverse decisions. The comment period on the proposed rule ended February 14, 2000. The Agency received 28 written comments. The Agency conducted a meeting, which was open to the public

on August 2, 2000, to allow the Agency to listen to oral presentations from the general public on the proposed rule. The Agency will respond to the comments made at the meeting in the preamble to the final rule as part of the rulemaking processing under the Administrative Procedures Act.

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/99	64 FR 69937
NPRM Comment Period End	02/14/00	
Final Action	12/00/00	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Mark Wyatt, Team Leader, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6865, South Building, STOP 3225, Washington, DC 20250  
Phone: 202 720-2383  
Email: mwyatt@rus.usda.gov

RIN: 0570-AA19

**461. • BUSINESS AND INDUSTRY  
GUARANTEED LOAN PROGRAM—  
DOMESTIC LAMB INDUSTRY  
ADJUSTMENT ASSISTANCE  
PROGRAM SET-ASIDE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301

**CFR Citation:** 7 CFR 4279-B, sec 4279.175

**Legal Deadline:** None

**Abstract:** The Secretary has agreed to a Business and Industry Guaranteed Loan Program setaside of \$15 million in fiscal year (FY) 2001, \$15 million in FY 2002, and \$5 million in FY 2003 to help fund the Domestic Lamb Industry Adjustment Assistance Program. The set-aside is to be effective September 30, 2000.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/00	
Interim Final Rule Effective	12/00/00	
Final Action	02/00/01	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Roland T. Woodfolk, Loan Specialist, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/STOP 3221  
Phone: 202 690-3805  
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RIN: 0570-AA31

**Department of Agriculture (USDA)**  
**Rural Business-Cooperative Service (RBS)**

## Long-Term Actions

**462. RURAL AND RURAL AREA  
UNDER THE RURAL COMMUNITY  
ADVANCEMENT PROGRAM**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 4279; 7 CFR 1980;  
7 CFR 1942; 7 CFR 4284

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local

**Agency Contact:** Bill Hagy  
Phone: 202 720-7287

RIN: 0570-AA27

**Department of Agriculture (USDA)**  
**Rural Business-Cooperative Service (RBS)**
**Completed Actions**
**463. RURAL VENTURE CAPITAL  
 DEMONSTRATION PROGRAM**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 7 CFR 4279 subpart A; 7 CFR 4279 subpart F; 7 CFR 4287 subpart G

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/22/00	

**Regulatory Flexibility Analysis  
 Required:** Undetermined
**Government Levels Affected:**

Undetermined

**Agency Contact:** Brenda Griffin  
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**RIN:** 0570-AA25

BILLING CODE 3410-07-S

**Department of Agriculture (USDA)**  
**Rural Utilities Service (RUS)**
**Proposed Rule Stage**
**464. TELECOMMUNICATIONS  
 STANDARDS AND SPECIFICATIONS  
 FOR MATERIALS, EQUIPMENT, AND  
 CONSTRUCTION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq

**CFR Citation:** 7 CFR 1755

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) proposes to amend 7 CFR 1755 to include requirements presently contained in RUS Bulletin 345-3. This rule would establish and codify provisions for the inclusion and removal for products from I.P. 344-2. This rule also proposes to integrate the existing section on field trials in the procedures for product acceptance and inclusion in this codification, as well as clarifying the reorganizing the field trials section.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis  
 Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
 Phone: 202 720-9550  
 Fax: 202 720-4120

**RIN:** 0572-AB40
**465. TELECOMMUNICATIONS SYSTEM  
 CONSTRUCTION CONTRACT AND  
 SPECIFICATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 901 et seq, 1921 et seq, 6941 et seq

**CFR Citation:** 7 CFR 1755

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) is proposing to amending 7 CFR part 1755, Telecommunications System Construction Contract and Specifications, to revise RUS Form 515, Telecommunications System Construction Contract (Labor and Materials). This contract form is used by borrowers to secure the services of a contractor for the construction of telecommunications facilities, which include outside plant construction, including direct buried plant, underground plant, aerial plant, and customer access installations. Because of advancements made in construction installation methods and materials, the present form of the contract and the associated specifications (RUS Bulletins 345-150, Specifications and Drawings for Construction of Direct Buried Plant; 345-151, Specifications and Drawings for Construction of Underground Plant; 345-152, Specifications and Drawings for Construction of Aerial Plant, and 345-153, Specifications and Drawings for Service Installations at Customer Access Locations) have become outdated. To allow borrowers and contractors to take advantage of these improved construction installation methods and materials, the current contract form and associated specifications are proposed to be revised.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/16/98	63 FR 49504
ANPRM Comment Period End	12/15/98	
NPRM	08/25/00	65 FR 51773
NPRM Comment Period End	12/26/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis  
 Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
 Phone: 202 720-9550  
 Fax: 202 720-4120

**RIN:** 0572-AB41
**466. • SERVICING OF WATER  
 PROGRAMS LOANS AND GRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 7 CFR 1782; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956

**Legal Deadline:** None

**Abstract:** This proposed action combines nine existing loan-servicing regulations of Water Programs into one. The new regulations will codify and clarify Water Programs policy relating to loan-servicing by incorporating simplified language without significantly changing any of the Agency's servicing policies or procedures.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

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Action	Date	FR Cite
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
Fax: 202 720-4120

**RIN:** 0572-AB59**467. • EXTENSIONS OF PAYMENTS OF PRINCIPAL OR PRINCIPAL AND INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 7 CFR 1717**Legal Deadline:** None

**Abstract:** This proposed rule will add subpart C, which will set forth the procedures for borrowers to follow to request a section 12(a) extension.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
Fax: 202 720-4120  
**RIN:** 0572-AB60

**468. • MERGERS AND CONSOLIDATIONS OF ELECTRIC BORROWERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901-950b, 1981; PL 99-591; PL 103-354**CFR Citation:** 7 CFR 1717**Legal Deadline:** None

**Abstract:** The Rural Utilities Service is proposing to amend subpart D to eliminate the additional 24-month extension to the reimbursement period offered as transitional assistance in connection with new loans to systems that have merged after December 19, 1996, as stated in section 1717.154(c).

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034,

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Phone: 202 720-9550  
Fax: 202 720-4120  
**RIN:** 0572-AB63

**469. • PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED TELECOMMUNICATIONS LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; PL 103-354**CFR Citation:** 7 CFR 1737**Legal Deadline:** None

**Abstract:** The Rural Utilities Service proposes to revise subparts A, C, D, E, F, H, and J to update the requirements related to the preparation and review of loan applications.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
Fax: 202 720-4120  
**RIN:** 0572-AB64

**Department of Agriculture (USDA)  
Rural Utilities Service (RUS)**

## Final Rule Stage

**470. SEISMIC SAFETY****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq, 1921 et seq; 42 USC 7701 et seq**CFR Citation:** 7 CFR 1792 C**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) proposes to amend its regulations to update and simplify the requirements of the Agency. This

revised rule would provide RUS borrowers, grant recipients, Rural Telephone Bank (RTB) borrowers, and the public with updated rules for compliance with seismic safety requirements for new building construction using RUS or RTB loan, grant, or guaranteed funds or funds provided through lien accommodations or subordinations approved by RUS or RTB. The proposed revision would identify model codes and standards

found to provide a required level of seismic safety.

**Timetable:**

Action	Date	FR Cite
NPRM	05/26/00	65 FR 34125
NPRM Comment Period End	07/25/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis Required:** No

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## Final Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB47

#### 471. REVISION OF RUS TELECOMMUNICATIONS PROGRAM AND RTB LOAN DOCUMENTS

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 941 et seq; 7 USC 6941 et seq; 7 USC 1921 et seq

**CFR Citation:** 7 CFR 1610; 7 CFR 1744

**Legal Deadline:** None

**Abstract:** As part of the Rural Utilities Service's (RUS) continuing effort to streamline and simplify regulations and to reduce burdens on borrowers, RUS and RTB intend to revise and reform their loan contract and mortgage documents.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/18/98	63 FR 44175
ANPRM Comment Period End	09/17/98	
NPRM	12/15/99	64 FR 69946
NPRM Comment Period End	02/14/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB48

#### 472. GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 901-950(b); PL 99-591, 100 Stat 3341; PL 103-354, 108 Stat 3178, 7 USC 6941 et seq

**CFR Citation:** 7 CFR 1710

**Legal Deadline:** None

**Abstract:** RUS is amending its regulations to modify the requirements that borrowers must seek bids from all sources if funding is requested for generation projects equal to or greater than 10 megawatt or for modifications to existing plans if it results in an increase in capacity of 10 percent or more. RUS will now determine when borrowers must seek bids from all sources on a case-by-case basis at the discretion of the Administrator.

**Timetable:**

Action	Date	FR Cite
NPRM	05/17/00	65 FR 31289
NPRM Comment Period End	06/16/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB52

#### 473. ELECTRIC ENGINEERING, ARCHITECTURAL SERVICES, AND DESIGN POLICIES AND PROCEDURES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq

**CFR Citation:** 7 CFR 1724

**Legal Deadline:** None

**Abstract:** RUS is amending its regulations to revise its requirements regarding RUS approval of plans and specifications for buildings. Specifically, RUS is proposing that the

requirement for RUS approval of architectural plans and specifications for buildings be eliminated and that, instead, the borrower's architect or engineer be required to state that the design complies with certain specific standards.

**Timetable:**

Action	Date	FR Cite
NPRM	04/24/00	65 FR 21671
NPRM Comment Period End	06/23/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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Fax: 202 720-4120

**RIN:** 0572-AB54

#### 474. • WATER AND WASTE DISPOSAL PROGRAMS GUARANTEED LOANS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 7 USC 1989; 16 USC 1005

**CFR Citation:** 7 CFR 1779; 7 CFR 1980

**Legal Deadline:** None

**Abstract:** The Agency is issuing a final rule to consolidate its regulations governing the Water and Waste Disposal Guaranteed Loan Program from two regulations into one regulation. Current terms and processes will be used.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522



## USDA—RUS

## Final Rule Stage

Phone: 202 720-9550

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RIN: 0572-AB57

**475. • ELIMINATION OF CURRENT RATIO REQUIREMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 901 et seq, 1921 et seq, 6941 et seq**CFR Citation:** 7 CFR 1717**Legal Deadline:** None**Abstract:** As part of its ongoing program to streamline regulations, RUS is amending its regulations to eliminate the requirement that a borrower maintain a current ratio, equal to or greater than one, immediately following a cash distribution. RUS believes the requirement that a borrower maintain a current ratio, greater than or equal to one, following a cash distribution severely restricts the borrower's ability to independently manage cash flow. The elimination of this requirement will provide borrowers additional flexibility as they manage cash flow and determine when to declare or pay dividends, pay or determine to pay any patronage refunds, retire any patronage capital, or make any other cash distributions.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB58

**476. • SETTLEMENT OF DEBT****Priority:** Other Significant**Legal Authority:** 7 USC 901-950b, 1981; PL 99-591; PL 103-354**CFR Citation:** 7 CFR 1717**Legal Deadline:** None**Abstract:** The Rural Utilities Service will amend subpart Y to provide the Administrator with needed flexibility when addressing requests by borrowers to exercise authority thereunder in circumstances not otherwise explicitly contemplated in the regulation.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB61

**477. • RUS FORM 213, CERTIFICATION (BUY AMERICAN)****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq**CFR Citation:** 7 CFR 1755.30; 7 CFR 1726.304**Legal Deadline:** None**Abstract:** The Rural Utilities Service (RUS) is amending 7 CFR part 1755.30, List of Telecommunications Standard Contract Forms, and 1726.304, List of Electric Program Standard Contract Forms, to revise RUS Form 213, Certification (Buy American). The certificate is being revised to conform with the "Buy American" provision of 1938, as amended by the Uruguay Round Agreement Act of December 8, 1994 (Pub. L. 103-465, 108 Stat. 4809).**Timetable:**

Action	Date	FR Cite
Direct Final Rule	10/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB62

**Department of Agriculture (USDA)  
Rural Utilities Service (RUS)****Long-Term Actions****478. ELECTRIC STANDARDS AND SPECIFICATIONS FOR MATERIALS AND CONSTRUCTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1728**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AA67

**479. SOLID WASTE MANAGEMENT GRANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1775 subpart B**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** Yes

## USDA—RUS

## Long-Term Actions

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** Local

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

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**RIN:** 0572-AB14

#### 480. TECHNICAL ASSISTANCE AND TRAINING GRANTS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1775 subpart A

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** Local

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB15

#### 481. RUS APPROVAL OF ADDITIONS AND EXTENSIONS TO ELECTRIC PLANTS

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1717.603

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB38

#### 482. • THE "BUY AMERICAN" REQUIREMENT

**Priority:** Other Significant

**Legal Authority:** 7 USC 901 et seq

**CFR Citation:** 7 CFR 1787

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) proposes to amend its regulations by adding the "Buy

American" Requirement. This will codify RUS rules and inform RUS borrowers, material and equipment manufacturers, and the public of these rules for compliance with the RUS "Buy American" Requirement. RUS will rescind Bulletin 43-9:344-3 "Buy American" Requirement" when this regulation becomes effective.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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**RIN:** 0572-AB55

### Department of Agriculture (USDA)

#### Rural Utilities Service (RUS)

### Completed Actions

#### 483. LOAN DOCUMENTS—BANK PROGRAM

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1620

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/02/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AA76

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/04/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB01

#### 485. RUS APPROVAL OF SALE OF CAPITAL ASSETS BY ELECTRIC BORROWERS

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1717 P

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/04/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB02

#### 486. WATER AND WASTE LOAN AND GRANT SERVICING

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1782

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/02/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

#### 484. USE OF GENERAL FUNDS INVESTMENTS, LOAN GUARANTEES, AND RETIREMENT OF CAPITAL CREDITS BY ELECTRIC BORROWERS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1717 O

## USDA—RUS

## Completed Actions

Phone: 202 720-9550  
 Fax: 202 720-4120  
 RIN: 0572-AB23

**487. SPECIAL EQUIPMENT CONTRACT (INCLUDING INSTALLATION)**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1755  
**Completed:**

Reason	Date	FR Cite
Final Action	08/25/00	65 FR 51749
Final Action Effective	09/25/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe  
 Phone: 202 720-9550  
 Fax: 202 720-4120  
 RIN: 0572-AB35

**488. REDUCTION IN MINIMUM TIER REQUIREMENTS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1710; 7 CFR 1717; 7 CFR 1718  
**Completed:**

Reason	Date	FR Cite
Final Action	08/25/00	65 FR 51747
Final Action Effective	09/25/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550  
 Fax: 202 720-4120  
 RIN: 0572-AB51

**489. GENERAL POLICIES, TYPES OF LOANS, LOAN REQUIREMENTS—TELECOMMUNICATIONS PROGRAM**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1735  
**Completed:**

Reason	Date	FR Cite
Final Rule	07/11/00	65 FR 42615

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe  
 Phone: 202 720-9550  
 Fax: 202 720-4120  
 RIN: 0572-AB53

**490. • GENERAL POLICIES, TYPES OF LOANS, LOAN REQUIREMENTS—TELECOMMUNICATIONS PROGRAM (REASONABLY ADEQUATE SERVICE)**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 901 et seq, 1921 et seq, and 6941 et seq

**CFR Citation:** 7 CFR 1735

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) is amending its regulations to update the criteria for determining “reasonably adequate service” levels for local exchange carriers and providers of specialized telecommunications service. This rule is part of an ongoing RUS project to modernize Agency policies in order to provide borrowers with the flexibility to continue providing reliable, modern telephone service at reasonable costs in rural areas, while maintaining the security and feasibility of the Government’s loans.

**Timetable:**

Action	Date	FR Cite
Supplemental NPRM	05/25/00	65 FR 33787
Supplemental NPRM Comment Period End	06/26/00	
Final Action	09/08/00	65 FR 54399
Final Action Effective	10/08/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
 Phone: 202 720-9550  
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RIN: 0572-AB56

BILLING CODE 3410-15-S

**Department of Agriculture (USDA)**  
**Natural Resources Conservation Service (NRCS)**

**Proposed Rule Stage****491. CONSERVATION OF PRIVATE GRAZING LAND**

**Priority:** Other Significant  
**Legal Authority:** 16 USC 2005b  
**CFR Citation:** 7 CFR 610  
**Legal Deadline:** None

**Abstract:** Private grazing land constitutes nearly one-half of the non-Federal land of the United States and is basic to environmental, social, and economic stability of rural areas. In fact, grazing land constitutes the single largest watershed cover type in the United States and contributes significantly to the quality and quantity

of water for all of the many uses in the watershed. Congress recognized the importance of grazing lands in subtitle H, section 386, of the Federal Agriculture Improvement and Reform Act of 1996 by authorizing the Secretary to provide a coordinated technical, educational, and related assistance program to conserve and enhance private grazing lands.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Peggy Willis, Regulatory Liaison, Department of Agriculture, Natural Resources Conservation Service, Mail Stop 5460, 5601 Sunnyside Avenue, Beltsville, MD 20705  
 Phone: 301 504-2172  
 Email: peggy.willis@usda.gov

RIN: 0578-AA29

## USDA—NRCS

## Proposed Rule Stage

**492. EMERGENCY WATERSHED PROTECTION PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 81-516; 33 USC 701; PL 95-334; 16 USC 2203**CFR Citation:** 7 CFR 624**Legal Deadline:** None**Abstract:** A revision is necessary to incorporate changes in the program, which have resulted from the passage of the 1996 Farm Bill; to fulfill a desire

to make the program more responsive and efficient; and to respond to concerns of the public and the Agency. The rule is being reorganized and several items added.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Thomas A Weber, Deputy Chief for Programs, Department of Agriculture, Natural Resources Conservation Service, Room 5004-S, PO Box 2890, Washington, DC 20013  
Phone: 020 720-4527  
Fax: 202 720-6559  
Email: tweber@usda.gov**RIN:** 0578-AA30

## Department of Agriculture (USDA)

## Final Rule Stage

## Natural Resources Conservation Service (NRCS)

**493. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION****Priority:** Other Significant**Legal Authority:** 16 USC 3801 et seq**CFR Citation:** 7 CFR 12**Legal Deadline:** NPRM, Statutory, July 3, 1996.**Abstract:** Soil erosion and its results, including damage to water quality and air quality, loss of productive capacity of the land, and offsite damages, is caused in part by inadequate or inappropriate systems. Loss of wetlands due to conversion for agricultural production destroys wildlife habitat, reduces the lands ability to slow runoff, and affects water quality and quantity. The 1985 Food Security Act required producers who farm highly erodible land to do so by using a conservation system that controls erosion at an acceptable amount and requires producers to not convert and produce crops on the areas, in order to remain eligible for most USDA program benefits. This Act gave producers a major incentive to conserve wetlands and to install conservation practices on the country's most fragile lands. The 1996 Farm Bill refines these requirements.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/96	61 FR 47019
Interim Final Rule Comment Period End	11/05/96	
Final Action	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Peggy Willis, Regulatory Liaison, Department of Agriculture, Natural Resources Conservation Service, Mail Stop 5460, 5601 Sunnyside Avenue, Beltsville, MD 20705  
Phone: 301 504-2172  
Email: peggy.willis@usda.gov**RIN:** 0578-AA17**494. FORESTRY INCENTIVES PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 2101 and 2103**CFR Citation:** 7 CFR 635; 7 CFR 701**Legal Deadline:** None**Abstract:** The Forestry Incentives Program (FIP) supports good forest management practices on privately owned, non-industrial forest lands nationwide. FIP is designed to benefit the environment while meeting future demands for wood products. The Cooperative Forestry Assistance Act of 1978, as amended by Public Law 95-313, is the source of authority for FIP. FIP was reauthorized for fiscal year 2002 by Public Law 104-127. The interim rule sets forth FIP policies and procedures.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/00	
Final Action	02/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Peggy Willis, Regulatory Liaison, Department of Agriculture, Natural Resources Conservation Service, Mail Stop 5460, 5601 Sunnyside Avenue, Beltsville, MD 20705  
Phone: 301 504-2172  
Email: peggy.willis@usda.gov**RIN:** 0578-AA26**495. WETLAND CATEGORICAL MINIMAL EFFECTS EXEMPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3801 et seq**CFR Citation:** 7 CFR 12**Legal Deadline:** None**Abstract:** The 1985 Farm Bill, as amended, gives producers a major incentive to conserve wetlands by tying eligibility for most USDA program benefits to conservation of wetlands. However, producers can convert wetlands based on available exemptions, including a minimal effect exemption. A minimal effect applies if the action, individually and cumulatively, will have minimal effect on the functional hydrological and biological value of the wetlands in the area. A categorical minimal effect is one that, when carried out, will always have a minimal effect on the hydrologic and biological functions of wetlands in the area. These activities will be identified on a regional basis.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

## USDA—NRCS

## Final Rule Stage

**Agency Contact:** Peggy Willis,  
Regulatory Liaison, Department of  
Agriculture, Natural Resources

Conservation Service, Mail Stop 5460,  
5601 Sunnyside Avenue, Beltsville, MD  
20705

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**RIN:** 0578-AA27

**Department of Agriculture (USDA)**  
**Natural Resources Conservation Service (NRCS)**

## Completed Actions

**496. FORESTRY INCENTIVE  
PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 701

**Completed:**

Reason	Date	FR Cite
Duplicate of 0578-AA26	09/26/00	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peggy Willis  
Phone: 301 504-2172  
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**RIN:** 0578-AA28  
**BILLING CODE** 3410-16-S

**Department of Agriculture (USDA)**  
**Office of Procurement and Property Management (OPPM)**

## Proposed Rule Stage

**497. AGRICULTURE ACQUISITION  
REGULATION: AMENDMENT TO PART  
442, CONTRACT ADMINISTRATION**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 40 USC  
486(c)

**CFR Citation:** 48 CFR 442

**Legal Deadline:** None

**Abstract:** USDA proposes to amend part 442 of the Agriculture Acquisition Regulation (AGAR) to require USDA agencies to use a single automated performance evaluation system for recording and accessing contractor past

performance information. This system will be the National Institutes of Health Contractor Performance System.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	
Final Action	03/00/01	
Final Action Effective	05/00/01	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph J. Daragan,  
Procurement Analyst, Department of  
Agriculture, Office of Procurement and  
Property Management, Mail Stop 9303,  
14th and Independence Avenue SW,  
Washington, DC 20250  
Phone: 202 720-5729  
Email: joe.daragan@usda.gov

**RIN:** 0599-AA08

**Department of Agriculture (USDA)**  
**Office of Procurement and Property Management (OPPM)**

## Final Rule Stage

**498. DEPARTMENT OF AGRICULTURE  
PRIORITIES AND ADMINISTRATIVE  
GUIDELINE FOR DONATION OF  
EXCESS RESEARCH EQUIPMENT**

**Priority:** Info./Admin./Other

**Legal Authority:** PL 102-45; EO 12999

**CFR Citation:** 7 CFR 2812

**Legal Deadline:** None

**Abstract:** The Office of Procurement and Property Management of the Department of Agriculture proposes to amend its procedures for the donation of excess research equipment for technical and scientific education research activities to educational

institutions and nonprofit organizations under section 11(1) of the Stevenson-Wydler Technology Act (15 U.S.C 3710 (I)). This amendment would expand the list of entities eligible to receive such equipment, establish a priority list for eligible entities seeking transfer of such equipment, and clarify administrative rules regarding equipment transfer.

**Timetable:**

Action	Date	FR Cite
NPRM	07/29/99	64 FR 41049
NPRM Comment Period End	08/30/99	64 FR 41049
Final Action	12/00/00	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** State,  
Local, Tribal

**Agency Contact:** Kathleen N. Fay,  
Property Utilization Specialist,  
Department of Agriculture, Office of  
Procurement and Property  
Management, Mail Stop 9304, 1400  
Independence Avenue SW,  
Washington, DC 20250  
Phone: 202 720-9779  
Email: kathy.fay@usda.gov

**RIN:** 0599-AA06

**Department of Agriculture (USDA)**

**Long-Term Actions**

**Office of Procurement and Property Management (OPPM)**

**499. NEW RESTRICTIONS ON LOBBYING**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 3018

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6736
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

**Agency Contact:** Joseph J. Daragan

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Email: joe.daragan@usda.gov

**RIN:** 0599-AA03

**500. AGRICULTURE ACQUISITION REGULATION (AGAR); CONTRACTOR EMPLOYMENT OF MIGRANT AND SEASONAL AGRICULTURAL WORKERS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 48 CFR 422; 48 CFR 452

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph J. Daragan

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**RIN:** 0599-AA05

[FR Doc. 00-24460 Filed 11-29-00]

**BILLING CODE 3410-13-S**