

specified in § 278.6(e)(1). A disqualification for failure to pay a civil money penalty shall not be subject to administrative review.

\* \* \* \* \*

#### **PART 279—ADMINISTRATIVE AND JUDICIAL REVIEW—FOOD RETAILERS AND FOOD WHOLESALERS**

6. In § 279.3, paragraph (a)(2) is revised to read as follows:

##### **§ 279.3 Authority and jurisdiction.**

(a) *Jurisdiction.* \* \* \*

(2) Imposition of a fine under § 278.6(l) of this chapter or § 278.6 (m) of this chapter or disqualification from participation in the program or imposition of a civil money penalty under § 278.6 of this chapter, except for disqualification actions imposed under § 278.6(e)(8) of this chapter;

\* \* \* \* \*

7. In § 279.7, paragraph (a) is amended to add two new sentences after the first sentence to read as follows:

##### **§ 279.7 Action upon receipt of a request for review.**

(a) *Holding action.* \* \* \* However, in cases of permanent disqualification under § 278.6(e)(1) of this chapter, such administrative action shall not be held in abeyance pending such a review determination. If the disqualification is reversed through administrative or judicial review, the Secretary shall not be held liable for the value of any sales lost during the disqualification period.

\* \* \*

\* \* \* \* \*

8. In § 279.10, the first sentence of paragraph (a) and paragraph (d) are revised to read as follows:

##### **§ 279.10 Judicial review.**

(a) *Filing for judicial review.* Except for firms disqualified from the program in accordance with § 278.6(e)(8) of this chapter, a firm aggrieved by the determination of the food stamp review officer may obtain judicial review of the determination by filing a complaint against the United States in the U.S. district court for the district in which the owner resides or is engaged in business, or in any court of record of the State having competent jurisdiction.

\* \* \*

\* \* \* \* \*

(d) *Stay of action.* During the pendency of any judicial review, or any appeal therefrom, the administrative action under review shall remain in force unless the firm makes a timely application to the court and after hearing thereon, the court stays the administrative action after a showing

that irreparable injury will occur absent a stay and that the firm is likely to prevail on the merits of the case. However, permanent disqualification actions taken in accordance with § 278.6(e)(1) of this chapter shall not be subject to such a stay of administrative action. If the disqualification action is reversed through administrative or judicial review, the Secretary shall not be liable for the value of any sales lost during the disqualification period.

Dated: April 24, 1990.

**Yvette S. Jackson,**

*Administrator, Food and Nutrition Service.*

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#### **DEPARTMENT OF AGRICULTURE**

##### **Rural Utilities Service**

##### **7 CFR Parts 1710 and 1714**

##### **Prioritizing the Queue for Hardship Rate and Municipal Rate Loans to Electric Borrowers**

**AGENCY:** Rural Utilities Service, Agriculture.

**ACTION:** Extension of public comment period.

**SUMMARY:** On April 8, 1998, the Rural Utilities Service (RUS) published in the **Federal Register** an Advanced Notice of Proposed Rulemaking for Prioritizing the Queue for Hardship Rate and Municipal Rate Loans to Electric Borrowers. RUS wishes to extend the comment period for this proposed rule.

The RUS makes hardship rate and municipal rate loans to electric borrowers who meet certain statutory requirements. All applicants from borrowers for these loans are usually considered for approval on a first-come first-served basis. RUS now has a significant shortfall between the total dollar amount of qualified applicants and loan authority for both hardship rate and municipal rate loans. This shortfall has resulted in long waits in the queues for loan approval. RUS is considering making changes to its administrative procedures to prioritize the applications for hardship rate and municipal rate loans, separately, in order to offer these loans to borrowers in greater need of assistance before offering them to other borrowers in the loan queues.

**DATES:** The date by which written comments must arrive at the address given below is extended from May 8, 1998, to June 8, 1998.

**ADDRESSES:** Submit written comments to F. Lamont Heppe, Jr., Director,

Program Development and Regulatory Analysis, U.S. Department of Agriculture, Rural Utilities Service, Stop 1522, 1400 Independence Avenue, SW, Washington, D.C. 20250-1522. RUS requires, in hard copy, a signed original and 3 copies of all comments (7 CFR 1700.4(e)). Comments will be available for public inspection during regular business hours (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** Alex M. Cockey, Jr., Deputy Assistant Administrator-Electric Program, U.S. Department of Agriculture, Rural Utilities Service, Stop 1560, 1400 Independence Avenue, SW., Washington, D.C. 20250-1560. Telephone: 202-720-9545. FAX: 202-690-0717.

**Blaine C. Stockton,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 98-11995 Filed 5-5-98; 8:45 am]

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#### **DEPARTMENT OF TRANSPORTATION**

##### **Federal Aviation Administration**

##### **14 CFR Part 71**

[Airspace Docket No. 98-AEA-02]

##### **Proposed Amendment to Class E Airspace; Philadelphia, PA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace area at Philadelphia, PA. The amendment of a Standard Instrument Approach Procedure (SIAP) based on an Instrument Landing System (ILS) at Philadelphia International Airport has made this proposal necessary. Additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to accommodate the SIAP and for Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Comments must be received on or before June 5, 1998.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Airspace Branch, AEA-520, Docket No. 98-AEA-02, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy Int'l Airport, Jamaica, NY 11430.

The official docket may be examined in the Office of the Regional Counsel, AEA-7, F.A.A. Eastern Region, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430.