

# Rules and Regulations

Federal Register

Vol. 64, No. 221

Wednesday, November 17, 1999

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## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Parts 759 and 761

RIN 0560-AF70

#### Small Hog Operation Payment Program

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Interim rule technical amendment.

**SUMMARY:** This interim rule amends the interim rules published February 10, 1999, (64 FR 6495) and August 30, 1999, (64 FR 47099) to redesignate the regulations for the Small Hog Operation Payment Program (SHOP) at 7 CFR part 761 as 7 CFR part 759. This change is needed to reorganize 7 CFR chapter VII to allow for the incorporation of the Farm Service Agency's (FSA's) farm loan program regulations, which will be moved from their current location in 7 CFR chapter XVIII to 7 CFR chapter VII. The redesignated part 759 remains an interim rule and is otherwise unchanged.

**DATES:** Effective November 17, 1999.

**FOR FURTHER INFORMATION CONTACT:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch (RRFIDB), Farm Service Agency (FSA), United States Department of Agriculture (USDA), STOP 0540, 1400 Independence Avenue, SW, Washington, DC 20250-0540; telephone: (202) 205-5851; e-mail: tom\_witzig@wdc.fsa.usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

This interim rule is in conformance with Executive Order 12866 and has been determined to be not significant and therefore has not been reviewed by the Office of Management and Budget.

##### Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this rule because the FSA is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

##### Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

##### Executive Order 12988

This rule has been reviewed in accordance with Executive Order 12988. The provisions of this rule preempt State laws to the extent such laws are inconsistent with the provisions of this rule. Before any legal action may be brought regarding determinations of this rule, the administrative appeal provisions set forth at 7 CFR part 780 must be exhausted.

##### Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. See the notice related to 7 CFR part 3014, subpart V, published at 48 FR 29115 (June 24, 1983).

##### Unfunded Mandates Reform Act of 1995

This rule contains no Federal mandates under the regulatory provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

##### Paperwork Reduction Act of 1995

There are no information collections associated with this interim rule.

##### Executive Order 12612

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will not have a substantial direct effect on States or their political subdivisions, or

on the distribution of power and responsibilities among the various levels of government.

##### Background

The Farm Service Agency published an Interim Rule adding 7 CFR part 761, Small Hog Operation Payment Program (SHOP), on February 10, 1999, at 64 FR 6495, with a comment period that ended March 12, 1999. An Interim Rule amending the program was published on August 30, 1999, at 64 FR 47097, with a comment period ending September 29, 1999. The Agency is also streamlining its farm loan program regulations to separate them from the former Farmers Home Administration regulations contained at 7 CFR chapter XVIII and move them to 7 CFR chapter VII. Due to the need to provide a continuous block of CFR parts for the farm loan program regulations, it is necessary to move the SHOP regulations to 7 CFR part 759. The redesignated part 759 remains an interim rule and is otherwise unchanged.

##### List of Subjects in 7 CFR Parts 759 and 761

Direct payments to small hog operations, Reporting and recordkeeping requirements.

Accordingly, 7 CFR chapter VII is amended as follows:

##### PART 761—[REDESIGNATED AS PART 759]

1. Redesignate part 761 as part 759.
2. The authority citation for redesignated part 759 continues to read as follows:

**Authority:** 7 U.S.C. 612c.

Signed at Washington, DC, on November 10, 1999.

**Keith Kelly,**

*Administrator, Farm Service Agency.*

[FR Doc. 99-30013 Filed 11-16-99; 8:45 am]

BILLING CODE 3410-05-P