



Monday
April 26, 1999

Part III

**Department of
Agriculture**

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, April 1999

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. Further, this agenda 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 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: March 8, 1999.

Marvin J. Shapiro,
Chief, Legislative, Regulatory, and Automated Systems Division.

Agricultural Marketing Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1	Voluntary Shell Egg Regulations; Repackaging of Shell Eggs Under USDA's Grading Program	0581-AB56

Agricultural Marketing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2	National Laboratory Accreditation Program	0581-AB42
3	Federal Milk Order Consolidation and Reform	0581-AB49
4	Cotton Classification Services to Growers; Revision of User Fees for 1999 Crop	0581-AB57

Agricultural Marketing Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
5	Kiwifruit Research, Promotion, and Consumer Information Order	0581-AB46
6	Federal Seed Act; Amendments	0581-AB55

Agricultural Marketing Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
7	National Organic Program	0581-AA40

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Agricultural Marketing Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
8	Revision of Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products	0581-AA45
9	Egg, Poultry, and Rabbit Grading: Fee Increase	0581-AB54

Agricultural Research Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
10	National Agricultural Library Fees for Loans and Copying	0518-AA01

Farm Service Agency—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
11	Debt Settlement for Indian Tribal Land Acquisition Loans	0560-AF43

Farm Service Agency—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
12	Low Documentation Loan	0560-AF71

Farm Service Agency—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
13	Amendment to the Cotton Warehouse Regulations Regarding the Definition of "Unnecessary Delay"	0560-AF13
14	1999-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco	0560-AF51
15	End-Use Certificate Program	0560-AF64
16	Modification of Collateral Requirements for Emergency Loans	0560-AF72

Farm Service Agency—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
17	Program Ineligibility for Noncompliance With Boll Weevil Eradication Program	0560-AD57
18	Sugar and Crystalline Fructose Information and Recordkeeping Requirements	0560-AD88
19	Small Farmer Outreach Training and Technical Assistance Program	0560-AE17
20	Part 1946 Mediation; Subpart A—Agricultural Loan Mediation Program	0560-AE26
21	Selection and Functions of Farm Service Agency State and County Committees	0560-AE33
22	Implementation Procedures for Highly Erodible Land and Wetlands Conservation Provisions of the Food Security Act	0560-AE38
23	Amendments to the Farmer Account Servicing Policies	0560-AE42
24	Amendments to the Standards for Approval of Warehouse for Commodity Credit Corporation Storage Contracts	0560-AE50
25	Deletion of FSA Regulations Regarding Colorado River Basin Salinity Control Program	0560-AE54
26	Amendment to the Conservation Reserve Program Regarding Early Contract Terminations	0560-AE56
27	Amendments to the Regulations for Cotton Warehouses Under the United States Warehouse Act—Electronic Block Warehouse Receipts, Insurance Requirements, and Other Provisions	0560-AE60
28	Suspension of the Emergency Livestock Assistance Regulations for Crop Years 1996 to 2002	0560-AE86

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Farm Service Agency—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
29	Direct Line of Credit Program	0560-AE90
30	Revision of Regulations Pertaining to Indian Tribes and Tribal Corporations	0560-AE91
31	Amendments To Update the Tobacco Program Regulations	0560-AF05
32	Amendments To Update the Peanut Program Regulations	0560-AF06
33	Amendments To Update Farm Program Payment Limitation and Disaster Regulations Under the National Performance Review	0560-AF10
34	1998-Crop Marketing Quotas and Price Support Levels for Eight Kinds of Tobacco	0560-AF20
35	Lender Buyback of Repurchased Guaranteed Loans	0560-AF21
36	Amendments to the Debt Settlement Policies and Procedures To Conform to the Debt Collection Improvement Act of 1996	0560-AF22
37	Amendments to the Forage Provisions of the Noninsured Crop Disaster Assistance Program	0560-AF23
38	Refund of Marketing Quota Penalties and Tobacco Auction Warehouse Records and Reports	0560-AF26
39	Refund of Marketing Quota Penalties and Other Peanut Program Provisions	0560-AF27
40	Contracting Additional Peanuts by Type and Segregation	0560-AF28
41	American Indian Livestock Feed Program	0560-AF29
42	Sugar Program Information Reporting and Recordkeeping Requirements	0560-AF31
43	Upland Cotton User Marketing Certificate Program; Revision of Regulations	0560-AF32
44	Cooperative Marketing Associations	0560-AF33
45	Inapplicability to FSA's Farm Loan Programs of Redundant Instructions Regarding the Collection and Depositing of Program Payments	0560-AF34
46	Revision of FSA-Guaranteed Loan Regulations—Interest Subsidy for Guaranteed Borrowers	0560-AF35
47	Amendment to the Farm Reconstitution Regulations	0560-AF36
48	Change in Warehouse Receipt Requirements for CCC's Cotton Loan and Loan Deficiency Payment Programs	0560-AF39
49	Chemical Testing of Farmers' Stock Peanuts for Aflatoxin Content	0560-AF40
50	Dairy Recourse Loan Program	0560-AF41
51	Noninsured Crop Disaster Assistance Program Regulations for the 1998 and Succeeding Crop Years	0560-AF46
52	Amendments to the Regulations Regarding Suspension and Debarment From Commodity Credit Corporation Programs	0560-AF47
53	1999-Crop Peanuts National Poundage Quota, National Average Loan Rates and Minimum Export-Edible Sales Price for Additional Peanuts	0560-AF48
54	1999-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco	0560-AF49
55	1999-Crop Marketing Quota and Price Support Level for Burley Tobacco	0560-AF50
56	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
57	Debt Settlement of the Farm Loan Program's Nonprogram Loans	0560-AF54
58	Cleaning and Reinspection of Farmers' Stock Peanuts	0560-AF56
59	Disaster Reserve Flood Compensation Program	0560-AF57
60	Disaster Set-Aside Program Second Installment	0560-AF59
61	Regulatory Streamlining of the Farm Service Agency's Direct Farm Loan Programs	0560-AF60
62	Amendments to the Regulations Governing the Peanut Poundage Quota and Price Support Programs	0560-AF61
63	Accelerated Production Flexibility Contract Payments	0560-AF65
64	Dairy Indemnity Payment Program	0560-AF66
65	Dairy Market Loss Assistance Program	0560-AF67
66	Nonrecourse Marketing Assistance Loans for Crambe	0560-AF68
67	Streamlining of Regulations for Real Estate Appraisals and Chattel Appraisals	0560-AF69
68	Small Hog Operation Payment Plan	0560-AF70

Farm Service Agency—Completed Actions

Sequence Number	Title	Regulation Identifier Number
69	Amendment to the Warehouse Regulations Regarding Auction Tobacco Warehouses	0560-AD92
70	Farmer Credit Program Account Servicing Policies for Section 1816 and Other Related Sections for the 1990 FACT Act	0560-AE02
71	Implement Section 1818 (Borrower Training) of the Food, Agriculture, Conservation, and Trade Act of 1990 (FACT Act)	0560-AE04
72	Implementation of Certified Lender Program	0560-AE07

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Farm Service Agency—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
73	Insured and Guaranteed Operating and Farm Ownership Loan and Related Instructions To Implement Sections 4, 5, 7, 8, 9, and 19 of the Agricultural Credit Improvement Act of 1992	0560-AE09
74	Section 14 of the Agricultural Credit Improvement Act of 1992 (Graduation) and Sections 1819 (Loan Assessment) and 1821 (Market Placement) of the "FACT Act"	0560-AE11
75	The Agricultural Credit Improvement Act of 1992	0560-AE13
76	Implement Sections 11 and 13 of the Agriculture Credit Improvement Act of 1992 (Application Processing Time-frame)	0560-AE14
77	Acquisition and Management of Real and Chattel Property	0560-AE15
78	Amendment to Conservation Program Appeal Regulations Regarding Jurisdiction	0560-AE30
79	Revision to the Direct Loanmaking Regulations	0560-AE87
80	Revision of the Inventory Property Management Regulations	0560-AE88
81	Revisions to the Delinquent Account Servicing Regulations	0560-AE89
82	Amendments to the Tobacco Marketing Quota Regulations	0560-AE96
83	Disaster Set-Aside Program	0560-AE98
84	Boll Weevil Eradication Loan Program	0560-AE99
85	1998-Crop Marketing Quota and Price Support Level for Burley Tobacco	0560-AF18
86	1998-Crop Marketing Quotas and Price Support Level for Flue-Cured Tobacco	0560-AF19
87	Flood Risk Reduction Program	0560-AF24
88	Implementation of Preferred Lender Program and Streamlining of Guaranteed Loan Regulations	0560-AF38
89	1998 Dairy Production Disaster Assistance Program, Livestock Indemnity Program, and Tree Assistance Program	0560-AF44
90	Amendment to the Tobacco Importer Assessment Regulations Regarding the Definition of De Minimis Special Entries	0560-AF52
91	Fee Schedule; Aerial Photographic Reproductions	0560-AF55
92	Livestock Assistance Program	0560-AF58
93	Honey Recourse Loan Program	0560-AF62
94	Mohair Recourse Loan Program	0560-AF63

Animal and Plant Health Inspection Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
95	Noxious Weeds; Weed Categories and Priorities	0579-AB07
96	Aquaculture; Farm-Raised Fin Fish	0579-AB09

Animal and Plant Health Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
97	Plant Pest Regulations; Update of Current Provisions	0579-AA80
98	Karnal Bunt	0579-AA83
99	Veterinary Services Multi-Year User Fees	0579-AA87
100	Interstate Movement of Sheep and Goats From States That Do Not Quarantine Scrapie-Infected and Source Flocks	0579-AA90
101	Importation of Pork From Yucatan, Mexico	0579-AA91
102	Licensing Requirements for Dogs and Cats	0579-AA95
103	Importation of Poultry From Sinaloa and Sonora, Mexico	0579-AA96
104	Irradiation Phytosanitary Treatment of Imported Fresh Fruits and Vegetables	0579-AA97
105	Importation Of Solid Wood Packing Material	0579-AA99
106	Importation of Unmanufactured Wood From Mexico	0579-AB02
107	Establishment of Regions in the European Union for Hog Cholera, Foot-and-Mouth Disease, and Swine Vesicular Disease	0579-AB03
108	Horse Protection; Horse Industry Organizations	0579-AB04
109	User Fees—Rate Revisions for Agricultural Quarantine and Inspection Service	0579-AB05
110	Interstate Movement of Equines to Slaughter	0579-AB06

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Animal and Plant Health Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
111	Animal Welfare—Standards for Marine Mammals	0579-AA59
112	Importation of Logs, Lumber, and Other Unmanufactured Wood Articles	0579-AA82
113	Importation of Grapefruit, Lemons, and Oranges From Argentina	0579-AA92
114	Restrictions on the Importation of Ruminants, Meat and Meat Products From Ruminants, and Certain Other Ruminant Products	0579-AA98
115	Importation of Rhododendron in Growing Media	0579-AB00
116	Noxious Weeds; Restrictions on Interstate Movement	0579-AB08
117	Pseudorabies in Swine; Payment of Indemnity	0579-AB10

Animal and Plant Health Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
118	Importation of Fruits and Vegetables	0579-AA58
119	Importation of Certain Embryos and Animal Semen	0579-AA63
120	Importation of Fuji Apples From the Republic of Korea	0579-AA93
121	Revisions to Licensing Requirements: Animal Welfare	0579-AA94
122	Requiring Treatment of Solid Wood Packing Material From China	0579-AB01

Animal and Plant Health Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
123	Addition of Cervidae to the Regulations Concerning Tuberculosis in Livestock	0579-AA53
124	HSTAIC Repair and Maintenance Fees	0579-AA69
125	Phyosanitary Export Certification; Accreditation of Nongovernment Facilities	0579-AA75

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

Sequence Number	Title	Regulation Identifier Number
126	Higher Education Multicultural Scholars Program; Administrative Provisions	0524-AA09
127	Hispanic Serving Institutions Education Grants Program Administrative Provisions	0524-AA17
128	Community Food Projects Administrative Provisions	0524-AA19
129	Small Business Innovation Research Program Administrative Provisions	0524-AA20
130	Biotechnology Risk Assessment Research Grants Program Administrative Provisions	0524-AA21
131	National Research Initiative Competitive Grants Program Administrative Provisions	0524-AA22
132	Stakeholder Input to Research, Education, and Extension Formula Funds	0524-AA23
133	Matching Funds Requirement for Formula Funds for Agricultural Research and Extension Activities at 1890 Land Grant Institutions and Tuskegee University	0524-AA24

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

Sequence Number	Title	Regulation Identifier Number
134	Agricultural Telecommunications Program Administrative Provisions	0524-AA12

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Rural Housing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
135	Civil Rights Compliance Requirements—1901-E to 1940-D	0575-AA83
136	Multi-Family Housing Reinvention	0575-AC13
137	Guaranteed Rural Housing Loan Single Family	0575-AC18
138	Farm Labor Housing—Competitive Funding	0575-AC19

Rural Housing Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
139	Denying Credit to Applicants Delinquent on Any Federal Debt	0575-AA66
140	Reengineering and Reinvention of the Direct Section 502 and 504 Single-Family Housing Program	0575-AB99
141	Community Facility Grants	0575-AC10
142	Direct Single-Family Housing Loans and Grants	0575-AC11
143	Servicing Community Programs Loans and Grants	0575-AC12
144	Section 538 Guarantee Rural Rental Housing Program	0575-AC14
145	Community Programs Guaranteed Loans	0575-AC17

Rural Housing Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
146	Environmental Program Streamline Environmental Process	0575-AB98
147	National Flood Insurance Regulations	0575-AC07

Federal Crop Insurance Corporation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
148	General Administrative Regulations; High Risk Land Regulations	0563-AA98
149	General Administrative Regulations; Subpart D; Application for Crop Insurance	0563-AB00
150	Common Crop Insurance Regulations; Small Grains Crop Insurance Provisions and Wheat Winter Coverage Endorsement	0563-AB63
151	Common Crop Insurance Regulations; Coarse Grains Crop Insurance Provisions	0563-AB64
152	General Administrative Regulations; Premium Reductions; Payments of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities	0563-AB70
153	General Administrative Regulations; Movement of Business Among Insurance Providers	0563-AB71
154	General Administrative Regulations; Reinsurance Agreement—Standards for Approval	0563-AB72
155	General Administrative Regulations; Sanctions	0563-AB73
156	Common Crop Insurance Regulations; Florida Fruit Tree Crop Insurance Provisions	0563-AB75

Federal Crop Insurance Corporation—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
157	Group Risk Plan Crop Insurance Provisions; Part 407	0563-AB06
158	General Administrative Regulations; Subpart S; Regulations for Insurance Coverage by Written Agreement	0563-AB07
159	General Administrative Regulations; Subpart V; Submission of Policies and Provisions of Policies and Rates of Premium	0563-AB15
160	General Administrative Regulations; Subpart J; Appeal Procedure Regulations	0563-AB17
161	General Administrative Regulations; Subpart N; Disaster Assistance Act of 1988	0563-AB20
162	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 400	0563-AB59

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Federal Crop Insurance Corporation—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
163	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 401	0563-AB60
164	General Administrative Regulations; Nonstandard Underwriting Classification System	0563-AB66
165	General Administrative Regulations; Subpart T—Regulations for the 1999 and Subsequent Reinsurance Years	0563-AB67
166	General Administrative Regulations; Subpart U; and Catastrophic Risk Protection Endorsement—Regulations for the 1999 and Subsequent Reinsurance Years	0563-AB68
167	General Administrative Regulations; Interpretations of Statutory and Regulatory Provisions	0563-AB74

Federal Crop Insurance Corporation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
168	Dairy Options Pilot Program	0563-AB61
169	Common Crop Insurance Regulations; Cotton and ELS Cotton Crop Insurance Provisions	0563-AB62
170	Common Crop Insurance Regulations; Basic Provisions	0563-AB69

Grain Inspection, Packers and Stockyards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
171	Review Inspection Requirements	0580-AA58
172	Regulations Issued Under Packers and Stockyards Act (Feed Weight)	0580-AA64
173	Official Testing Service for Barley Protein Analysis	0580-AA68

Grain Inspection, Packers and Stockyards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
174	Tolerances for Dividers	0580-AA57

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

Sequence Number	Title	Regulation Identifier Number
175	Poultry Grower Contracts, Scales, Weighing	0580-AA51
176	Regulations Under Packers and Stockyards Act (Price Reporting)	0580-AA65

Grain Inspection, Packers and Stockyards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
177	Grain Inspection General Regulations	0580-AA53
178	Clear Title for Purchasers of Farm Products	0580-AA63
179	Fees for Official Inspection and Official Weighing Services (1999)	0580-AA66
180	Fees for Rice Inspection Services	0580-AA67

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Food and Nutrition Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
181	Special Supplemental Food Program for Women, Infants, and Children (WIC): Food Delivery Systems Integrity	0584-AA80
182	Special Supplemental Food Program for Women, Infants, and Children (WIC): Miscellaneous Provisions	0584-AB10
183	Provisions of Computer Matching and Privacy Protection Act of 1988, Amendments of 1990, and Implementation of the Disqualified Recipient Subsystem	0584-AB51
184	Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance	0584-AB90
185	Food Stamp Program: Retailer Application Processing	0584-AC05
186	Disclosure of Free and Reduced Price Eligibility Information Under the School Nutrition and Child and Adult Care Food Programs	0584-AC21
187	Food Stamp Program: Welfare Reform and Regulatory Review of Program Management	0584-AC22
188	Improving Management and Program Integrity in the Child and Adult Care Food Program	0584-AC24
189	Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools: Provision 2 and Provision 3	0584-AC25
190	Part 240, Cash In Lieu of Donated Foods and Part 250, Food Distribution Regulations	0584-AC31
191	Food Stamp Program Regulatory Review: FSP Standards for Approval and Operation of Food Stamp Electronic Benefit Transfer Systems	0584-AC37
192	FSP: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC39
193	FSP: State Flexibility and Certification Provisions of Public Law 104-193	0584-AC40
194	FSP: Nondiscretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC41
195	Electronic Benefit Transfer (EBT) Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC44
196	Food Stamp Program: Work Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC45
197	Regulatory Reform: Provisions Relating to Firms Participating in the Food Stamp Program	0584-AC48
198	Food Distribution Program: Regulatory Implementation of Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104-193, 110 Stat 2105)	0584-AC49
199	Food Distributions Programs: Commodity Acceptability Report	0584-AC56
200	Food Distribution Program on Indian Reservations: Disqualification Penalties for Intentional Program Violations	0584-AC65
201	Commodity Supplemental Food Program: Program Streamlining, Flexibility, and Miscellaneous Amendments	0584-AC66
202	WIC Farmers Market Nutrition Program (FMNP): Expansion Funds Allocation Formula	0584-AC68
203	Maximum Allotments for 48 States & DC & Income Eligibility Standards for 48 States, DC, AK, GU and VI	0584-AC69
204	FSP: Maximum Allotments for Alaska, Hawaii, Guam, and the Virgin Islands	0584-AC70
205	FSP: EBT System SAS70 Audit Requirements	0584-AC71
206	FSP: Civil Rights Data Collections	0584-AC75

Food and Nutrition Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
207	Child and Adult Care Food Program: Authority To Collect Overclaims	0584-AB19
208	Food Stamp Program: 1995 Quality Control Technical Amendments	0584-AB38
209	WIC: Requirements for and Evaluation of WIC Program Requests for Bids for Infant Formula Rebate Contracts	0584-AB52
210	Food Stamp Program: Payment of Certain Administrative Costs of State Agencies	0584-AB66
211	Food Distribution Program on Indian Reservations: Definition of Indian Tribal Household	0584-AB67
212	Amendments to the Infant Meal Pattern	0584-AB81
213	Food Stamp Program: Food Stamp Recipient Claim Establishment and Collection Standards	0584-AB88
214	Summer Food Service Program: Program Meal Service During the School Year	0584-AC06
215	Child and Adult Care Food Program: Child Nutrition and WIC Reauthorization Act Amendments and Healthy Meals for Healthy Americans Act of 1994	0584-AC20
216	Implementation of Legislative Reforms in the Summer Food Service Program	0584-AC23
217	WIC: Bloodwork Requirements	0584-AC30
218	National School Lunch Program and School Breakfast Program: Additional Menu Planning Alternatives	0584-AC38
219	Food Stamp Program: Retailer Integrity, Fraud Reduction and Penalties	0584-AC46
220	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Disqualification of WIC Vendors Who Are Disqualified From the Food Stamp Program	0584-AC50
221	Special Supplemental Nutrition Program for WIC: Implementation of WIC-Related Provisions of PL 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC51
222	Implementation of Legislative Changes in the Child and Adult Care Food Program	0584-AC52

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Food and Nutrition Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
223	Food Stamp Program: Electronic Benefits Transfer (EBT) Benefit Adjustments	0584-AC61
224	Food Stamp Provisions of the Balanced Budget Act of 1997	0584-AC63
225	After School Snacks Under the NSLP and CACFP	0584-AC72
226	WIC: Local Agency Expenditure Reports	0584-AC74
227	WIC: Certification Integrity	0584-AC76
228	WIC: WIC Funding Provisions of Public Law 105-336	0584-AC77

Food and Nutrition Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
229	Special Supplemental Food Program for Women, Infants, and Children (WIC): Food Cost Containment Requirements	0584-AB11
230	Permanent Agreements/Direct Certification in National School Lunch, School Breakfast, and Special Milk Programs	0584-AB35
231	Food Stamp Program: Anticipating Income and Reporting Changes	0584-AB57
232	School Nutrition Programs: Technical and Nondiscretionary Amendments	0584-AC01
233	Amendment To Remove Formulated Grain—Fruit Product Section	0584-AC09
234	Consolidation of National School Lunch Program, School Breakfast Program and Summer Food Service Program Into a Comprehensive School Meal Program	0584-AC10
235	Food Stamp Program Regulatory Review: Certification of Eligible Households	0584-AC28
236	WIC: Food Package Adjustments and Corrections	0584-AC29
237	WIC: Food and Nutrition Services and Administration (NSA) Funding Formula Rule	0584-AC64
238	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Soy-Base Beverages (Soymilk) in WIC	0584-AC67

Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
239	Food Distribution Programs—Implementation of 1990 Farm Bill	0584-AB28
240	Food Distribution Program on Indian Reservations—Oklahoma Waiver Authority	0584-AB56
241	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Implementation of WIC Mandates of the Healthy Meals for Healthy Americans Act of 1994	0584-AC02
242	NSLP: Amds. to Requirements for Meal Supplements Served in After School Care Programs	0584-AC73

Food Safety and Inspection Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
243	Elimination of Accredited Laboratory Program for Food Chemistry and Residue Chemistry	0583-AC48

Food Safety and Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
244	Transportation, Storage, and Other Handling of Potentially Hazardous Foods	0583-AC05
245	Grant and Inauguration of Inspection	0583-AC07
246	Performance Standard for the Chilling of Ready-to-Cook Poultry	0583-AC21
247	Elimination of Requirements for Partial Quality Control Programs	0583-AC35
248	Ante-Mortem and Post-Mortem Inspection of Livestock and Poultry	0583-AC43

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Food Safety and Inspection Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
249	Requirements for Disposition and Disposal of Inspected Raw Meat and Poultry Products	0583-AC44
250	Performance Standards for Shelf-Stable, Ready-to-Eat Products	0583-AC45
251	Performance Standards for Perishable, Ready-to-Eat Products	0583-AC46
252	Performance Standards for Bacon	0583-AC49
253	Irradiation of Meat and Meat Products	0583-AC50
254	Reworking of Meat and Poultry Carcasses Accidentally Contaminated During Evisceration	0583-AC53
255	Fee Increase for Inspection Services of Meat and Poultry Products	0583-AC54
256	Labeling of Food Under the Voluntary Nutrition Labeling Program; 1996 Retail Survey Compliance Results	0583-AC55

Food Safety and Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
257	Substances Approved for Use in the Preparation of Meat and Poultry Products	0583-AB02
258	Use of Soy Protein Concentrate, Food Starch-Modified and Gelatin as Binders in Certain Meat Products	0583-AB82
259	Retained Water in Raw Meat and Poultry Products; Poultry Chilling Performance Standards	0583-AC26
260	Addition of Mexico to List of Countries Eligible To Export Poultry Products to the United States	0583-AC33
261	Rules of Practice	0583-AC34
262	Sanitation Requirements for Official Meat and Poultry Establishments	0583-AC39
263	Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems	0583-AC51

Food Safety and Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
264	Nutrition Labeling of Ground Beef and Hamburger	0583-AB74
265	Beef or Pork With Barbecue Sauce; Revision of Standards	0583-AC09
266	Labeling Standards for Ovine Carcasses, Parts of Carcasses, Meat and Meat Food Products	0583-AC41
267	Salmonella Enteritidis in Eggs	0583-AC52

Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
268	Performance Standards for Certain Meat Products and Poultry Products	0583-AB94
269	Elimination of Prior Approval Requirements for Egg Product Plant Drawings, Specifications, and Equipment	0583-AC06

Foreign Agricultural Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
270	Proposed Regulations Governing Implementation of the Cooperator Foreign Market Development Program Overseas	0551-AA26
271	Export Sales Reporting Requirement	0551-AA51

USDA

Foreign Agricultural Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
272	CCC Supplier Credit Guarantee Program	0551-AA30
273	Facility Guarantee Program	0551-AA35
274	Reform of Export Bonus Program	0551-AA41
275	Dairy Tariff-Rate Import Quota Licensing	0551-AA53

Foreign Agricultural Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
276	Dairy Tariff Rate Import Quota Licensing	0551-AA27
277	Sugar Import Licensing	0551-AA39
278	Regulation Governing Implementation of the Market Access Program	0551-AA52
279	Regulations Governing the Financing of Commercial Sales of Agricultural Commodities	0551-AA54
280	Changes to the Regulation To Achieve More Effective Management of Foreign Donations of Agricultural Commodities	0551-AA56
281	Amend Regulations Governing Procedures for Procuring Ocean Transportation for Agricultural Commodities	0551-AA57

Forest Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
282	Disposal of National Forest Timber: Timber Sale Contract Revisions	0596-AB52

Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
283	Hydropower Applications	0596-AA47
284	National Forest Prohibitions	0596-AA75
285	Small Tracts Act Regulations	0596-AA79
286	National Forest System Land and Resource Management Planning	0596-AB20
287	Species Surplus to Domestic Manufacturing Needs	0596-AB27
288	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations	0596-AB36
289	Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands	0596-AB45
290	Sale and Disposal of National Forest System Timber; Extension of Timber Sale Contracts To Permit Urgent Removal of Other Timber	0596-AB48
291	National Environmental Policy Act; Revised Policy and Procedures; Categorical Exclusions	0596-AB54
292	Law Enforcement Support Activities	0596-AB61
293	Administration of the Forest Development Transportation System	0596-AB67
294	Noncompetitive Sale of Timber	0596-AB70
295	Small Business Timber Sale Set-Aside Recomputation Basis	0596-AB72
296	Categorical Exclusion for Certain Special Uses Permit Actions (FSH 1909.15, chapter 30)	0596-AB73
297	Clarification of Exemptions From Special-Use Authorizations	0596-AB74

Forest Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
298	Indian Allotments on National Forest System Lands	0596-AA52
299	Disposal of National Forest Timber; Cancellation of Timber Sale Contracts	0596-AB21

USDA

Forest Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
300	State and Private Forestry Assistance Stewardship Incentive Program	0596-AB32
301	Preference for Visitor Service; Alaska National Forest Conservation System Units	0596-AB57
302	Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands; Mediation of Grazing Permit Disputes	0596-AB59
303	Administrative, Cooperative Funds Agreements	0596-AB63
304	Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities	0596-AB69

Forest Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
305	Special-Use Applications and Administration of Special-Use Authorizations	0596-AB35
306	Small Business Timber Sale Set-Aside Program; Appeal Procedure on Recomputation of Shares	0596-AB62
307	Categorical Exclusion for Certain Ski Area Permit Actions	0596-AB65
308	Administration of the Forest Development Transportation System: Temporary Suspension of Road Construction in Roadless Areas	0596-AB68
309	Ski Area Permit Fee System	0596-AB71

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
310	Designation of Rural Empowerment Zones and Enterprise Communities	0503-AA20

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
311	Uniform Procedures for the Acquisition and Transfer of Excess Personal Property	0503-AA19

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
312	Nondiscrimination in USDA-Conducted Programs and Activities	0503-AA15
313	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	0503-AA16

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
314	Designation of Rural Empowerment Zones and Enterprise Communities	0503-AA18

USDA

Rural Business-Cooperative Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
315	Rural Economic Development Loan and Grant Program	0570-AA19
316	Business and Industry Direct Loan Program	0570-AA22
317	Business and Industrial Guaranteed Loan Program—Miscellaneous Changes	0570-AA23
318	Affirmative Fair Housing Marketing Plan	0570-AA24
319	Business and Industry Guaranteed Loan Program—Financing Cooperative Stock	0570-AA26
320	Rural and Rural Area Under the Rural Community Advancement Program	0570-AA27

Rural Business-Cooperative Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
321	Rural Business Opportunity Grants	0570-AA05

Rural Business-Cooperative Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
322	Rural Venture Capital Demonstration Program	0570-AA25

Rural Business-Cooperative Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
323	Rural Business Enterprise Grants and Television Demonstration Grants	0570-AA08
324	National Sheep Industry Improvement Center	0570-AA21

Rural Utilities Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
325	Amending the Rural Utilities Service Water and Waste Program Regulations	0572-AB44

Rural Utilities Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
326	Preservation of Records Accounting Requirements for RUS Electric Borrowers	0572-AA92
327	Load Forecasts	0572-AB05
328	Water and Waste Loan and Grant Servicing	0572-AB23
329	Telecommunications Standards and Specifications for Materials, Equipment, and Construction	0572-AB40
330	Seismic Safety	0572-AB47
331	Revision of RUS Telecommunications Program and RTB Loan Documents	0572-AB48

USDA

Rural Utilities Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
332	Telecommunications System Construction Policies and Procedures	0572-AB34
333	Distance Learning and Telemedicine Loan and Grant Program	0572-AB45
334	Construction Work Plans and Related Studies	0572-AB46

Rural Utilities Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
335	Electric Standards and Specifications for Materials and Construction	0572-AA67
336	Post-Loan Policies and Procedures Common to Insured and Guaranteed Electric Loans	0572-AA71
337	Civil Rights Policies Applicable to RUS Borrowers	0572-AA75
338	Loan Documents—Bank Program	0572-AA76
339	Depreciation Rates and Procedures	0572-AA80
340	Use of General Funds Investments, Loan Guarantees, and Retirement of Capital Credits by Electric Borrowers	0572-AB01
341	RUS Approval of Sale of Capital Assets by Electric Borrowers	0572-AB02
342	Community Facility Loans—Timber-Dependent Communities	0572-AB11
343	Solid Waste Management Grants	0572-AB14
344	Technical Assistance and Training Grants	0572-AB15
345	Special Equipment Contract (Including Installation)	0572-AB35
346	RUS Approval of Additions and Extensions to Electric Plants	0572-AB38
347	Telecommunications System Construction Contract and Specifications	0572-AB41

Rural Utilities Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
348	Loan Security Document—Telecommunications Program	0572-AA30
349	Loan Account Computations, Policies, and Procedures	0572-AA65
350	RUS Fidelity and Insurance Requirements for Electric and Telecommunications Borrowers	0572-AA86
351	Environmental Policies and Procedures	0572-AB33
352	Electric Program Standard Contract Forms	0572-AB42

Natural Resources Conservation Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
353	Forestry Incentives Program	0578-AA26

Natural Resources Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
354	Wetland Categorical Minimal Effects Exemptions	0578-AA27

Natural Resources Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
355	Highly Erodible Land and Wetland Conservation	0578-AA17

USDA

Natural Resources Conservation Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
356	7 CFR Part 610 Technical Assistance	0578-AA22

Office of Procurement and Property Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
357	Agriculture Acquisition Regulation (AGAR); Simplified Acquisition Procedures	0599-AA04
358	Agriculture Acquisition Regulation (AGAR); Contractor Employment of Migrant and Seasonal Agricultural Workers	0599-AA05
359	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 Identifier Number
360	New Restrictions on Lobbying	0599-AA03

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Agricultural Marketing Service (AMS)

1. • 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 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
ANPRM	05/00/99	

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, STOP 0259, Room 3944-South, 1400 Independence Avenue SW., Washington, DC 20250-0259
Phone: 202 720-3506
Fax: 202 690-0941

RIN: 0581-AB56

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Agricultural Marketing Service (AMS)

2. NATIONAL LABORATORY ACCREDITATION PROGRAM

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 7 USC 138 to 138i

CFR Citation: 7 CFR 100

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.

USDA—AMS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	11/20/92	57 FR 54727
ANPRM Comment Period End	01/19/93	
NPRM	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: I-Pin Ho, Chemist, Technical Services Branch, Department of Agriculture, Agricultural Marketing Service, Science and Technology, P.O. Box 96456, Room 3521-South, Washington, DC 20090-6456
Phone: 202 205-4993
Fax: 202 720-4631

RIN: 0581-AB42**3. FEDERAL MILK ORDER CONSOLIDATION AND REFORM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 7 USC 601 to 674**CFR Citation:** 7 CFR 1139**Legal Deadline:** Final, Statutory, January 1, 1999.

Required by Public Law 104-127

Abstract: The Federal Agriculture Improvement and Reform Act required that the current 32 Federal milk marketing orders be consolidated into between 10 to 14 orders by 4/4/99. Congress extended that date to 10/1/99-with a final decision to be issued between February 1 and April 4, 1999. The 1996 Farm Bill also directed the Secretary to designate the State of

California as a Federal order if California as dairy producers petition for and approve such an order. The Act specifies that USDA use informal rulemaking such to implement these reforms.

Timetable:

Action	Date	FR Cite
NPRM	01/30/98	63 FR 4802
NPRM Comment Period End	04/30/98	63 FR 12417
Second NPRM Final Action	04/02/99 To Be Determined	64 FR 16026

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

Agency Contact: John F. Borovies, Branch Chief, Department of Agriculture, Agricultural Marketing Service, Dairy-Order Formulation Branch, P.O. Box 96456, Room 2971-So. Bldg., Washington, DC 20090-6456
Phone: 202 720-6274
Fax: 202 690-0552
Email: john_f_borovies@usda.gov

RIN: 0581-AB49**4. COTTON CLASSIFICATION SERVICES TO GROWERS; REVISION OF USER FEES FOR 1999 CROP****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 471 to 476**CFR Citation:** 7 CFR 28**Legal Deadline:** NPRM, Statutory, April 1999. Final, Statutory, May 1999.

Abstract: The user fee for 1999 crop cotton classification services to growers is expected to generate about \$25 million in revenues. The Agricultural Marketing Service will adjust the user fees for cotton producers for 1999 crop cotton classification services under the Cotton Statistics and Estimates Act in accordance with the formula specified in the Uniform Cotton Classing Fees Act of 1987. The formula takes into account the inflationary rate, the estimated volume of the crop, and the level of the reserve fund of the Cotton Programs. The actual adjustment in the fee will be calculated in early 1999, when all three of the factors required by legislation for the formula become available. Since the user fee is equal to much less than 1 percent of the value of a bale of cotton, any minor adjustment in the fee is expected to have nominal effect on cotton growers.

Timetable:

Action	Date	FR Cite
NPRM	04/02/99	64 FR 15937
NPRM Comment Period End	05/03/99	

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

Agency Contact: Lee Cliburn, Chief, Program Appraisal Staff, Department of Agriculture, Agricultural Marketing Service, Cotton Program, Rm. 2641-So., Washington, DC 20250
Phone: 202 720-2145

RIN: 0581-AB57

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Agricultural Marketing Service (AMS)

5. KIWI FRUIT RESEARCH, PROMOTION, AND CONSUMER INFORMATION ORDER**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 7461 to 7473**CFR Citation:** 7 CFR 1214**Legal Deadline:** None

Abstract: Two proposals were submitted to the Department of Agriculture for a Kiwifruit Research, Promotion, and Consumer Information Order. Under the proposals, producers and importers would pay an assessment

not to exceed 10 cents per 7-pound tray of kiwifruit. The assessments would be used to conduct a general program to maintain, expand, and develop markets for kiwifruit. Seventy-five comments were received on the proposals. Most of which were negative. Therefore, the proposed program was held in abeyance until the Act could be amended. The Act was amended on 6/23/98. Another proposed rule to reflect the Act's amendments was published on November 10, 1998. The comment period closed on January 11, 1999. A National Referendum will be

held to determine if the proposed program will be implemented.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/96	61 FR 51378
ANPRM Comment Period End	12/02/96	
NPRM	10/17/97	62 FR 54314
Final Action	06/00/99	
Final Action Effective	08/00/99	

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

USDA—AMS

Final Rule Stage

Agency Contact: Martha B. Ransom, Chief, Research and Promotion Branch, Department of Agriculture, Agricultural Marketing Service, F&V Division, P.O. Box 96456, Room 2535-So. Bldg., Washington, DC 20090-6456
 Phone: 202 720-9915
 Fax: 202 205-2800
RIN: 0581-AB46

regulations to incorporate current seed testing and seed certification procedures, and the proposal would also make seeds of Federal Noxious Weed Act (FNWA) species noxious, in interstate shipments of seed. This amendment would keep the FSA regulations consistent with present technology and prevent conflicts between Federal and State regulations that could inhibit the free movement of seed. Making the FNWA species noxious would provide the States and AMS a means to regulate and prevent the spread of these highly destructive weeds.

Action	Date	FR Cite
NPRM Comment Period End	02/04/99	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard C. Payne, Acting Chief, Seed Regulatory and Testing Branch, Department of Agriculture, Agricultural Marketing Service, Room 209, Building 306, BARC-East, Beltsville, MD 20705-2325
 Phone: 301 504-9430
 Fax: 301 504-5454
 Email: richard.payne2@usda.gov

RIN: 0581-AB55

6. FEDERAL SEED ACT; AMENDMENTS

Priority: Substantive, Nonsignificant
Legal Authority: 7 USC 1551 to 1611
CFR Citation: 7 CFR 201
Legal Deadline: None

Abstract: The objective of this proposal is to update the Federal Seed Act (FSA)

Timetable:

Action	Date	FR Cite
NPRM	10/20/98	63 FR 55964

DEPARTMENT OF AGRICULTURE (USDA)
Agricultural Marketing Service (AMS)

Long-Term Actions

7. NATIONAL ORGANIC PROGRAM

Priority: Economically Significant
CFR Citation: 7 CFR 205
Timetable:

Action	Date	FR Cite
Organic Livestock Hearings	12/30/93	58 FR 69315

Action	Date	FR Cite
Notice - Procedure To Submit Names of Substances for National List	03/27/95	60 FR 15744
NPRM	12/16/97	62 FR 65850
NPRM Comment Period End	10/01/98	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses
Government Levels Affected: State, Tribal

Agency Contact: Eileen Stommes
 Phone: 202 720-3252

RIN: 0581-AA40

DEPARTMENT OF AGRICULTURE (USDA)
Agricultural Marketing Service (AMS)

Completed Actions

8. REVISION OF REGULATIONS GOVERNING THE INSPECTION AND GRADING SERVICES OF MANUFACTURED OR PROCESSED DAIRY PRODUCTS

Priority: Routine and Frequent
CFR Citation: 7 CFR 58
Completed:

Reason	Date	FR Cite
Withdrawn - Final Action Delayed	02/04/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses
Government Levels Affected: Federal
Agency Contact: F. Tracy Schonrock
 Phone: 202 690-0530
RIN: 0581-AA45

9. EGG, POULTRY, AND RABBIT GRADING: FEE INCREASE

Priority: Substantive, Nonsignificant
CFR Citation: 7 CFR 70

Completed:

Reason	Date	FR Cite
Final Action	09/30/98	63 FR 52131
Final Action Effective	10/01/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No
Government Levels Affected: None

Agency Contact: Michael Holbrook
 Phone: 202 720-4476

RIN: 0581-AB54

BILLING CODE 3410-02-F

DEPARTMENT OF AGRICULTURE (USDA)
Agricultural Research Service (ARS)

Proposed Rule Stage

10. NATIONAL AGRICULTURAL LIBRARY FEES FOR LOANS AND COPYING
Priority: Substantive, Nonsignificant

Legal Authority: PL 101-624, sec 104

CFR Citation: 7 CFR 505

Legal Deadline: None

Abstract: The Department of Agriculture seeks comments on a proposed rule establishing a fee schedule for loans of materials and

copying of materials in the collections of the National Agricultural Library.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment	05/00/99	
Period End		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Carol Ditzler, Head, Document Delivery Services Branch, Department of Agriculture, Agricultural Research Service, Room 300 National Agricultural Library, 10301 Baltimore Avenue, Beltsville, MD 20705
 Phone: 301 504-6503
 TDD: 301 504-6856
 Fax: 301 504-7593
 Email: userfees@nal.usda.gov

RIN: 0518-AA01

BILLING CODE 3410-90-F

DEPARTMENT OF AGRICULTURE (USDA)
Farm Service Agency (FSA)

Prerule Stage

11. DEBT SETTLEMENT FOR INDIAN TRIBAL LAND ACQUISITION LOANS
Priority: Other Significant

Legal Authority: 5 USC 301; 42 USC 1480

CFR Citation: 7 CFR 1823; 7 CFR 1951

Legal Deadline: None

Abstract: Indian tribes have experienced loss of Federal assistance in the last 5 years due to reorganization of the Bureau of Indian Affairs (BIA) and the shifting of responsibilities from the BIA to the tribes themselves. These have included waste management, as well as other mandates. The funding to fully meet these mandates has been insufficient, requiring tribes to use other financial resources to meet them. Funding for tribal priority allocations,

which include law enforcement, housing, education, natural resource management, and other tribal services, was reduced in FY 1996. This action will allow for a reduction of debt commensurate with reductions from other Federal sources. Action will be taken on a case-by-case basis in determining the amount and timing of any debt reduction. This action is intended to head off further repayment difficulties and strengthen tribal operations. Outlays are expected to be \$22 million.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/99	64 FR 10235
ANPRM Comment	04/02/99	
Period End		

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Tom Witzig, Acting Chief, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
 Phone: 202 205-5851
 Fax: 202 720-5233
 Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF43

DEPARTMENT OF AGRICULTURE (USDA)
Farm Service Agency (FSA)

Proposed Rule Stage

12. • LOW DOCUMENTATION LOAN
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; 42 USC 1480

CFR Citation: 7 CFR 1910; 7 CFR 1941

Legal Deadline: None

Abstract: The Farm Service Agency (FSA), is amending the direct operating loan program application requirements for small loans under \$20,000 to current FSA borrowers with total FSA

indebtedness of less than \$100,000, and for recurring annual operating loans to existing borrowers. The amendment will streamline the application process for those loans, but will not change the eligibility requirements. This change will not impact the number of farmers eligible for FSA loans nor the dollar amount of loans made by FSA. This abbreviated application will result in more efficient application processing by field office employees. This amendment will not increase losses for the Agency. Farmers eligible for this lo-doc loan will be served in a more efficient and timely manner while keeping them in business, thus minimizing losses to the Government.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
 Phone: 202 205-5851
 Fax: 202 720-5233
 Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF71

DEPARTMENT OF AGRICULTURE (USDA)
Farm Service Agency (FSA)

Final Rule Stage

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

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 262

CFR Citation: 7 CFR 735

Legal Deadline: None

Abstract: This action will amend the regulations for cotton warehouses under the U.S. Warehouse Act to establish a regulatory guideline for the statutory phrase "without unnecessary delay," which pertains to the shipping times between shipper-merchants and warehouse operators in order to resolve differences regarding this issue. A charge of 1 to 2 cents per warehouse receipt would be necessary to pay for monitoring the guideline. Total annual cost is expected to be \$80,000 to \$120,000.

Timetable:

Action	Date	FR Cite
NPRM	05/26/98	63 FR 28488
NPRM Comment Period End	07/27/98	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
 Phone: 202 205-5851
 Fax: 202 720-5233
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RIN: 0560-AF13

14. 1999-CROP MARKETING QUOTAS 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, 1999.

Marketing Quota Announcement

Abstract: Marketing quotas 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. Marketing quotas are implemented if approved by producers in referenda. Producers approved quotas for the 1999 crops of fire-cured (types 21-23), dark air-cured (types 35-36), and sun-cured (type 37) in March 1997 and 1998. Referenda for the other kinds are scheduled for March 1999. Producers of these types have historically voted for 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 in FY 2000 are expected to be offset by loan repayments and no-net-cost assessments in FY 2000 and subsequent years, for a net cost of 0.

Timetable:

Action	Date	FR Cite
NPRM	02/26/99	64 FR 9452
NPRM Comment Period End	03/01/99	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
 Phone: 202 205-5851
 Fax: 202 720-5233
 Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF51

15. • END-USE CERTIFICATE PROGRAM

Priority: Other Significant

Legal Authority: 19 USC 3391(f)

CFR Citation: 7 CFR 782

Legal Deadline: None

Abstract: This action will revise the regulations regarding the filing of documentation by importers of Canadian wheat to require filers to provide additional information with respect to each shipment of wheat. Changes are also necessary to coincide with regulations being promulgated by

the U.S. Customs Service. The proposed changes will require the importer of record to file the End-Use Certificates within 10 days of entry. It will also provide for electronic filing instead of the submission of paper documents. No significant economic impact is expected.

Timetable:

Action	Date	FR Cite
NPRM	01/13/99	64 FR 2152
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF64

16. • MODIFICATION OF COLLATERAL REQUIREMENTS FOR EMERGENCY LOANS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 7 USC 1989; 42 USC 1980

CFR Citation: 7 CFR 1945

Legal Deadline: None

Abstract: As a result of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999, the requirement that the portion of an emergency loan secured by repayment ability will be repaid in 3 years has been eliminated. The Agency needs to remove this language from 7 CFR, part 1945, subpart D, and establish new regulations for securing loans using repayment ability. This action will increase the number of producers who will be able to obtain emergency loans while allowing the Agency to protect its interest when securing loans using the applicant's repayment ability as collateral.

Timetable:

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

USDA—FSA

Final Rule Stage

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RIN: 0560-AF72

DEPARTMENT OF AGRICULTURE (USDA)
Farm Service Agency (FSA)

Long-Term Actions

17. PROGRAM INELIGIBILITY FOR NONCOMPLIANCE WITH BOLL WEEVIL ERADICATION PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: None

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0560-AD57

18. SUGAR AND CRYSTALLINE FRUCTOSE INFORMATION 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

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RIN: 0560-AD88

19. 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
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Organizations

Government Levels Affected: State

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RIN: 0560-AE17

20. 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	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: State

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RIN: 0560-AE26

21. 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

22. IMPLEMENTATION PROCEDURES FOR HIGHLY ERODIBLE LAND AND WETLANDS CONSERVATION PROVISIONS OF THE FOOD SECURITY ACT

Priority: Other Significant

CFR Citation: 7 CFR 1940

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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RIN: 0560-AE38

23. AMENDMENTS TO THE FARMER ACCOUNT SERVICING POLICIES

Priority: Economically Significant

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

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

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RIN: 0560-AE42

USDA—FSA

Long-Term Actions

24. 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**25. DELETION OF FSA REGULATIONS REGARDING COLORADO RIVER BASIN SALINITY CONTROL PROGRAM****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**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**26. AMENDMENT TO THE CONSERVATION RESERVE PROGRAM REGARDING EARLY CONTRACT TERMINATIONS****Priority:** Other Significant**CFR Citation:** 7 CFR 704**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/15/96	61 FR 10671
Final Action	To Be	Determined

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

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RIN: 0560-AE56**27. AMENDMENTS TO THE REGULATIONS FOR COTTON WAREHOUSES UNDER THE UNITED STATES WAREHOUSE ACT—ELECTRONIC BLOCK WAREHOUSE RECEIPTS, INSURANCE REQUIREMENTS, AND OTHER PROVISIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 735**Timetable:**

Action	Date	FR Cite
NPRM	11/29/96	61 FR 60637
NPRM Comment Period End	01/28/97	
Final Action	To Be	Determined

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

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RIN: 0560-AE60**28. SUSPENSION OF THE EMERGENCY LIVESTOCK ASSISTANCE REGULATIONS FOR CROP YEARS 1996 TO 2002****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1475**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-AE86**29. DIRECT LINE OF CREDIT PROGRAM****Priority:** Other Significant**CFR Citation:** 7 CFR 1910; 7 CFR 1924; 7 CFR 1941**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-AE90**30. REVISION OF REGULATIONS PERTAINING TO INDIAN TRIBES AND TRIBAL CORPORATIONS****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.

CFR Citation: 7 CFR 1823; 7 CFR 1942-F; 7 CFR 1956-C**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-AE91**31. AMENDMENTS TO UPDATE THE TOBACCO PROGRAM 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.

CFR Citation: 7 CFR 711; 7 CFR 714; 7 CFR 717; 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

USDA—FSA

Long-Term Actions

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RIN: 0560-AF05

32. AMENDMENTS TO UPDATE THE PEANUT PROGRAM 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.

CFR Citation: 7 CFR 1446

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-AF06

33. AMENDMENTS TO UPDATE FARM PROGRAM PAYMENT LIMITATION AND DISASTER REGULATIONS UNDER THE NATIONAL PERFORMANCE REVIEW

Priority: Substantive, Nonsignificant

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

CFR Citation: 7 CFR 777; 7 CFR 795; 7 CFR 1400

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AF10

34. 1998-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR EIGHT KINDS OF TOBACCO

Priority: Other Significant

CFR Citation: 7 CFR 723; 7 CFR 1464

Timetable:

Action	Date	FR Cite
NPRM	02/02/98	63 FR 5285
NPRM Comment Period End	02/13/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig
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RIN: 0560-AF20

35. LENDER BUYBACK OF REPURCHASED GUARANTEED LOANS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 7 CFR 1980 subpart B

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 0560-AF21

36. 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

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RIN: 0560-AF22

37. 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

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RIN: 0560-AF23

38. REFUND OF MARKETING QUOTA PENALTIES AND TOBACCO AUCTION WAREHOUSE RECORDS AND REPORTS

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 714; 7 CFR 723; 7 CFR 729

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AF26

39. REFUND OF MARKETING QUOTA PENALTIES AND OTHER PEANUT PROGRAM PROVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 729

Timetable:

Action	Date	FR Cite
NPRM	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-AF27

40. CONTRACTING ADDITIONAL PEANUTS BY TYPE AND SEGREGATION**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1446**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-AF28

41. AMERICAN INDIAN LIVESTOCK FEED PROGRAM**Priority:** Other Significant**CFR Citation:** 7 CFR 1439**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/27/98	63 FR 65524
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Tom Witzig

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RIN: 0560-AF29

42. 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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RIN: 0560-AF31

43. UPLAND COTTON USER MARKETING CERTIFICATE PROGRAM; REVISION OF REGULATIONS**Priority:** Other Significant**CFR Citation:** 7 CFR 1427**Timetable:**

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67806
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Tom Witzig

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RIN: 0560-AF32

44. COOPERATIVE MARKETING ASSOCIATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1425**Timetable:**

Action	Date	FR Cite
NPRM	04/09/98	63 FR 17311
NPRM Comment Period End	05/11/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Tom Witzig

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RIN: 0560-AF33

45. 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**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-AF34

46. REVISION OF FSA-GUARANTEED LOAN REGULATIONS—INTEREST SUBSIDY FOR GUARANTEED BORROWERS**Priority:** Other Significant**CFR Citation:** 7 CFR 1980**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/28/91	56 FR 8257
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Tom Witzig

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RIN: 0560-AF35

47. AMENDMENT TO THE FARM RECONSTITUTION REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 718**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-AF36

48. CHANGE IN WAREHOUSE RECEIPT REQUIREMENTS FOR CCC'S COTTON LOAN AND LOAN DEFICIENCY PAYMENT PROGRAMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1427

USDA—FSA

Long-Term Actions

Timetable:

Action	Date	FR Cite
ANPRM	To Be	Determined

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

Agency Contact: Tom Witzig
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 RIN: 0560-AF39

49. CHEMICAL TESTING OF FARMERS' STOCK PEANUTS FOR AFLATOXIN CONTENT**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 729; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
ANPRM	To Be	Determined

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

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 RIN: 0560-AF40

50. DAIRY RECOURSE LOAN PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1430**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-AF41

51. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1998 AND SUCCEEDING CROP YEARS**Priority:** Economically Significant**CFR Citation:** 7 CFR 1437**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

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

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 RIN: 0560-AF46

52. AMENDMENTS TO THE REGULATIONS REGARDING SUSPENSION AND DEBARMENT FROM COMMODITY CREDIT CORPORATION PROGRAMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1407**Timetable:**

Action	Date	FR Cite
NPRM	12/30/98	63 FR 71796
Final Action	To Be	Determined

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

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 RIN: 0560-AF47

53. 1999-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES AND MINIMUM EXPORT-EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS**Priority:** Other Significant**CFR Citation:** 7 CFR 729; 7 CFR 1446; 7 CFR 1421**Timetable:**

Action	Date	FR Cite
NPRM	11/25/98	63 FR 56133
Final Action	To Be	Determined

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

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 RIN: 0560-AF48

54. 1999-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
Final Action	To Be	Determined

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

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 RIN: 0560-AF49

55. 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

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 RIN: 0560-AF50

56. 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:** Substantive, Nonsignificant**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

USDA—FSA

Long-Term Actions

57. DEBT SETTLEMENT OF THE FARM LOAN PROGRAM'S NONPROGRAM LOANS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1956**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-AF54**58. 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**Agency Contact:** Tom Witzig

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RIN: 0560-AF56**59. DISASTER RESERVE FLOOD COMPENSATION PROGRAM****Priority:** Other Significant**CFR Citation:** 7 CFR 1439**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-AF57**60. • DISASTER SET-ASIDE PROGRAM SECOND INSTALLMENT****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 7 USC 1989; 31 USC 3716; 42 USC 1480**CFR Citation:** 7 CFR 1951**Legal Deadline:** None

Abstract: The Farm Service Agency (FSA) is amending the disaster set-aside program requirement to allow farm borrowers to set aside portions of payments that could not be made as scheduled due to a natural disaster as declared by the President or Secretary of Agriculture between January 1, 1998, and December 31, 1998, or because of the adverse economic conditions and low commodity prices which were determined to have occurred in 1998. Applications for economic disaster set-aside must be received on or before August 31, 1999. Also, those borrowers who have loans with set-aside payments as of the publication date of this regulation may set aside a second payment on the same loans if determined eligible based on criteria established by this rule. To receive consideration for a second set-aside due to a natural disaster, the borrower's request must be received within 8 months from the date of the disaster designation, in accordance with FmHA Instruction 1945-A. The impact of these provisions will allow the agency to serve farmers who have experienced losses due to a natural disaster or adverse economic conditions in an efficient and timely manner while helping them stay in business. This rule will not increase losses for the Agency.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/05/99	64 FR 392
Final Action	To Be	Determined
Final Action Effective	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Acting Director, Regulatory Review Group,

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RIN: 0560-AF59**61. • 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 reengineer its direct farm loan program regulations. This action will consolidate a number of actions that were 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, Acting Director, Regulatory Review Group,

Department of Agriculture, Farm Service Agency, MS 0572, 1400

Independence Avenue SW.,

Washington, DC 20250-0572

Phone: 202 205-5851

Fax: 202 720-5233

USDA—FSA

Long-Term Actions

Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF60

62. • AMENDMENTS TO THE REGULATIONS GOVERNING THE PEANUT POUNDAGE QUOTA AND PRICE SUPPORT PROGRAMS

Priority: Other Significant

Legal Authority: 7 USC 1301 et seq; 15 USC 714b and 714c

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

Legal Deadline: None

Abstract: This rule makes changes in the regulations to: (1) Change references not previously changed to reflect USDA reorganization, (2) make several changes clarifying administrative provisions, (3) move regulations at 7 CFR part 714 into each of parts 729 and 1446 to improve peanut program administration, (4) ease the tolerance for miscertification of acres planted, (5) ease the restrictions on buyback provisions applicable to additional peanuts, (6) remove restrictions on operator transfer of peanut poundage quota, (7) clarify that a farm that is ineligible for quota allocation is also ineligible for allocation of a tenant's share of any quota increase, (8) lengthen the base period for selecting the highest yield with respect to determining eligibility to transfer peanut quota, and (9) correct several references required to reflect USDA reorganization and CFR parts that have been moved or deleted. No costs are expected.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF61

63. • ACCELERATED PRODUCTION FLEXIBILITY CONTRACT PAYMENTS

Priority: Substantive, Nonsignificant. Major under 5 USC 801.

Legal Authority: PL 105-228; 7 USC 1989; 42 USC 1480

CFR Citation: 7 CFR 1412

Legal Deadline: None

Abstract: This action is needed to authorize revised FY 1999 Production Flexibility Contract (PFC) payment schedules in accordance with the Emergency Farm Financial Relief Act (The Act), which was signed by President Clinton on August 12, 1998. The Act, as a special rule for FY 1999, provides producers the option to receive FY 1999 PFC payments as two 50-percent payments or as a single 100-percent payment at any time during FY 1999. The objective of the revised PFC payment schedule is to allow producers to receive FY 1999 PFC payments as soon as practicable after October 1, 1998. The accelerated payment schedule may relieve financial burdens on producers suffering from low 1998 commodity prices and crop losses. The change does not impact the amount of FY 1999 PFC payments, nor does the revised payment schedule allow for any PFC expenditures to deviate from the FY in which they are scheduled to be issued. No additional cost is expected. This rule will not increase losses for the Agency.

Timetable:

Action	Date	FR Cite
NPRM	01/05/99	64 FR 392
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF65

64. • DAIRY INDEMNITY PAYMENT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-277

CFR Citation: 7 CFR 760

Legal Deadline: None

Abstract: The Dairy Indemnity Payment program indemnifies dairy farmers for milk dumped because of contamination that was not the fault of the producer and indemnifies dairy manufacturers for dairy products removed from the market through no fault of their own. This action is needed to reauthorize the program through 9/30/99 in accordance with the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999. Reauthorization of the program is mandatory. \$450,000 has been authorized for FY 1999.

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF66

65. • DAIRY MARKET LOSS ASSISTANCE PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 105-277

CFR Citation: 7 CFR 1430

Legal Deadline: None

Abstract: The Omnibus Consolidated and Emergency Supplemental Act, 1999 (1999 Act) designates that \$200 million shall be available to provide assistance to dairy farmers in a manner determined by the Secretary. A Decision Memorandum to the Under Secretary provides numerous options for determining the form of the assistance. When the decision has been made, the regulation governing the Dairy Market Loss Assistance Program will be drafted. It is estimated that there are 117,000 dairy operations in existence that will be eligible for this type of assistance. This action is needed to establish the regulations

USDA—FSA

Long-Term Actions

implementing the Dairy Market Loss Assistance Program in accordance with the 1999 Act. Payments will be made by September 30, 1999. \$200 million was appropriated for FY 1999.

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF67

66. • NONRECOURSE MARKETING ASSISTANCE LOANS FOR CRAMBE

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 7231

CFR Citation: 7 CFR 1421

Legal Deadline: None

Abstract: This action is needed to establish: 1) Crambe as an oilseed and eligible commodity for nonrecourse marketing assistance loans; 2) March 31 as the final availability date for requesting crambe loans; 3) quality standards for crambe; and 4) loan repayment provisions. The 1998 loan rate for crambe would be established at \$0.0877 per pound (on a pound-per-pound basis of the 1998 soybean loan rate of \$5.26 per bushel), the minimum level at which the loan rate may be set. The production is grown under contract by approximately 400 producers at a price that is well above the loan rate. Thus, no forfeitures, marketing loan gains or loan deficiency payments are expected.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF68

67. • STREAMLINING OF REGULATIONS FOR REAL ESTATE APPRAISALS AND CHATTEL APPRAISALS

Priority: Info./Admin./Other

Legal Authority: 5 USC 30101; 7 USC 1989; 31 USC 3716; 42 USC 1480

CFR Citation: 7 CFR 761; 7 CFR 1922

Legal Deadline: None

Abstract: This change will standardize the process of appealing appraisals between all aspects of Farm Loan Programs within the Agency. This action is expected to reduce costs paid by applicants/borrowers to appeal an Agency appraisal.

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0257, 1400 Independence Avenue SW., Washington, DC 20250-0572
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Fax: 202 720-5233

Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF69

68. • SMALL HOG OPERATION PAYMENT PLAN

Priority: Other Significant

Legal Authority: 7 USC 612c

CFR Citation: 7 CFR 761

Legal Deadline: None

Abstract: Small Hog Operation Payment Program will make approximately \$50 million in direct cash payments to small hog operations to help them weather the current economic crisis. The Farm Service Agency will provide a direct payment to producers of small hog operations if they marketed fewer than 1,000 hogs during the last 6 months of 1998, are in operation during the time of sign up, did not market the hogs under fixed-price or cost-plus contracts, and whose operation or producer did not exceed gross income of \$2.5 million during 1998. If applications exceed \$50 million, a national factor will be used to reduce each payment so that the national total is no more than \$50 million.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/10/99	64 FR 6495
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560-AF70

DEPARTMENT OF AGRICULTURE (USDA)
Farm Service Agency (FSA)
Completed Actions
69. AMENDMENT TO THE WAREHOUSE REGULATIONS REGARDING AUCTION TOBACCO WAREHOUSES

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 723; 7 CFR 737

Completed:

Reason	Date	FR Cite
Final Action	11/09/98	63 FR 60203

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0560-AD92

70. FARMER CREDIT PROGRAM ACCOUNT SERVICING POLICIES FOR SECTION 1816 AND OTHER RELATED SECTIONS FOR THE 1990 FACT ACT

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1900 subpart B; 7 CFR 1924 subpart B; 7 CFR 1951 subpart S

Completed:

Reason	Date	FR Cite
Withdrawn	05/01/98	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Tom Witzig

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RIN: 0560-AE02

71. IMPLEMENT SECTION 1818 (BORROWER TRAINING) OF THE FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 (FACT ACT)

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1910 subpart A; 7 CFR 1943 subpart B; 7 CFR 1924 subpart B; 7 CFR 1941 subpart A; 7 CFR 1945 subpart D; 7 CFR 1943 subpart A; 7 CFR 1951 subpart S; 7 CFR 1980 subpart B; 7 CFR 1962 subpart A; 7 CFR 1965 subpart A

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AE04

72. IMPLEMENTATION OF CERTIFIED LENDER PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1980 subpart A; 7 CFR 1980 subpart B

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Tom Witzig

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RIN: 0560-AE07

73. INSURED AND GUARANTEED OPERATING AND FARM OWNERSHIP LOAN AND RELATED INSTRUCTIONS TO IMPLEMENT SECTIONS 4, 5, 7, 8, 9, AND 19 OF THE AGRICULTURAL CREDIT IMPROVEMENT ACT OF 1992

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR 1980; 7 CFR 1955

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Agency Contact: Tom Witzig

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RIN: 0560-AE09

74. SECTION 14 OF THE AGRICULTURAL CREDIT IMPROVEMENT ACT OF 1992 (GRADUATION) AND SECTIONS 1819 (LOAN ASSESSMENT) AND 1821 (MARKET PLACEMENT) OF THE "FACT ACT"

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1951; 7 CFR 1980; 7 CFR 1943; 7 CFR 1945; 7 CFR 1962

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0560-AE11

75. THE AGRICULTURAL CREDIT IMPROVEMENT ACT OF 1992

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1946; 7 CFR 1980

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 0560-AE13

76. IMPLEMENT SECTIONS 11 AND 13 OF THE AGRICULTURE CREDIT IMPROVEMENT ACT OF 1992 (APPLICATION PROCESSING TIMEFRAME)

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1910; 7 CFR 1980

Completed:

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis

Required: No

USDA—FSA

Completed Actions

Government Levels Affected: Federal**Agency Contact:** Tom Witzig

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RIN: 0560-AE14

77. ACQUISITION AND MANAGEMENT OF REAL AND CHATTEL PROPERTY**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 2.23; 7 CFR 2.70; 7 CFR 1955A; 7 CFR 1955C**Completed:**

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Tribal**Agency Contact:** Tom Witzig

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RIN: 0560-AE15

78. AMENDMENT TO CONSERVATION PROGRAM APPEAL REGULATIONS REGARDING JURISDICTION**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 780**Completed:**

Reason	Date	FR Cite
Withdrawn - Transferred to the National Appeals Division.	01/01/99	

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

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RIN: 0560-AE30

79. REVISION TO THE DIRECT LOANMAKING REGULATIONS**Priority:** Other Significant**CFR Citation:** 7 CFR 1910; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR 1980**Completed:**

Reason	Date	FR Cite
Withdrawn - Merged with 0560-AE60	01/01/99	

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

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RIN: 0560-AE87

80. REVISION OF THE INVENTORY PROPERTY MANAGEMENT REGULATIONS**Priority:** Other Significant**CFR Citation:** 7 CFR 1955**Completed:**

Reason	Date	FR Cite
Withdrawn - Merged with 0560-AE60	01/01/99	

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

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RIN: 0560-AE88

81. REVISIONS TO THE DELINQUENT ACCOUNT SERVICING REGULATIONS**Priority:** Other Significant**CFR Citation:** 7 CFR 1951; 7 CFR 1956; 7 CFR 1962; 7 CFR 1965**Completed:**

Reason	Date	FR Cite
Withdrawn - Merged with 0560-AE60	01/01/99	

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

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RIN: 0560-AE89

82. AMENDMENTS TO THE TOBACCO MARKETING QUOTA REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 723**Completed:**

Reason	Date	FR Cite
Final Action	03/10/98	63 FR 11581

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

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RIN: 0560-AE96

83. DISASTER SET-ASIDE PROGRAM**Priority:** Other Significant**CFR Citation:** 7 CFR 1951, subpart S**Completed:**

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

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

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RIN: 0560-AE98

84. BOLL WEEVIL ERADICATION LOAN PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1941, subpart C**Completed:**

Reason	Date	FR Cite
Merged With RIN 0560-AE60	01/01/99	

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

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RIN: 0560-AE99

85. 1998-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO**Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Completed:**

Reason	Date	FR Cite
Final Action	10/20/98	63 FR 55939

USDA—FSA

Completed Actions

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF18

86. 1998-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO

Priority: Other Significant

CFR Citation: 7 CFR 723; 7 CFR 1464

Completed:

Reason	Date	FR Cite
Final Action	10/20/98	63 FR 55937
Final Action Effective	12/15/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF19

87. FLOOD RISK REDUCTION PROGRAM

Priority: Other Significant

CFR Citation: 7 CFR 1471

Completed:

Reason	Date	FR Cite
Withdrawn - No Action To Be Taken	04/09/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF24

88. IMPLEMENTATION OF PREFERRED LENDER PROGRAM AND STREAMLINING OF GUARANTEED LOAN REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1980

Completed:

Reason	Date	FR Cite
Final Action	02/12/99	64 FR 7358
Final Action Effective	02/12/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF38

89. 1998 DAIRY PRODUCTION DISASTER ASSISTANCE PROGRAM, LIVESTOCK INDEMNITY PROGRAM, AND TREE ASSISTANCE PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 783; 7 CFR 1439

Completed:

Reason	Date	FR Cite
Withdrawn	01/01/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF44

90. AMENDMENT TO THE TOBACCO IMPORTER ASSESSMENT REGULATIONS REGARDING THE DEFINITION OF DE MINIMIS SPECIAL ENTRIES

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1464.101

Completed:

Reason	Date	FR Cite
Final Action	01/19/99	64 FR 2802

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0560-AF52

91. FEE SCHEDULE; AERIAL PHOTOGRAPHIC REPRODUCTIONS

Priority: Info./Admin./Other

CFR Citation: 7 CFR 1

Completed:

Reason	Date	FR Cite
Final Action	01/22/99	64 FR 3395

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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RIN: 0560-AF55

92. LIVESTOCK ASSISTANCE PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 7 CFR 1439

Completed:

Reason	Date	FR Cite
Final Action	03/19/99	64 FR 13497

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig

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Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF58

93. • HONEY RECOURSE LOAN PROGRAM

Priority: Other Significant

Legal Authority: PL 105-277

CFR Citation: 7 CFR 1434

Legal Deadline: None

Abstract: The Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Pub. L. 105-277) (the Act) requires the Secretary to make available recourse loans to producers of the 1998 crop of honey. The Act provides a formula for the determination of the loan rate and requires that the program be operated on a no net cost basis. Primary provisions to be determined are: a) Producer and honey eligibility; b) issuing of loan proceeds; and c) repayment of loans. The program will be operated so there are no net outlays although 1-2 percent may be expected to be repaid in FY 2000.

Timetable:

Action	Date	FR Cite
Final Action	03/08/99	64 FR 10429

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

USDA—FSA

Completed Actions

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560–AF62

94. • MOHAIR RECOURSE LOAN PROGRAM

Priority: Other Significant
Legal Authority: PL 105-277
CFR Citation: 7 CFR 1434
Legal Deadline: None

Abstract: The Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (the Act) requires the Secretary to make available during FY 1999 recourse loans to producers of mohair produced during or before FY 1999. The Act provides for a no-interest loan at a rate of \$2.00 per pound for a term of 1 year. Primary provisions to be determined are: a) Producer and mohair eligibility; b) issuing of loan proceeds; and c) repayment of loans. Loan outlays of \$16 to \$22 million are expected.

Timetable:

Action	Date	FR Cite
Final Action	03/08/99	64 FR 10923

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Acting Director, Regulatory Review Group, Department of Agriculture, Farm Service Agency, MS 0572, 1400 Independence Avenue SW., Washington, DC 20250-0572
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RIN: 0560–AF63

BILLING CODE 3410-05-F

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Animal and Plant Health Inspection Service (APHIS)

95. • NOXIOUS WEEDS; WEED CATEGORIES AND PRIORITIES

Priority: Other Significant
Legal Authority: 7 USC 2803; 7 USC 2809
CFR Citation: 7 CFR 360
Legal Deadline: None

Abstract: We are soliciting public input on the manner in which Federal noxious weeds are characterized and categorized. Specifically, we are seeking public comment on a four-tier categorization scheme for noxious weeds that would provide for varying levels of response to weeds based on their pest risk potential. The information gathered through this advance notice of proposed rulemaking will be used by the Animal and Plant Health Inspection Service as we consider regulatory changes and weigh alternative approaches to addressing the problem of noxious weeds.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/99	
ANPRM Comment Period End	11/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Polly Lehtomen, Botanist, BATS, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 133, Riverdale, MD 20737-1236
 Phone: 301 734-8896

RIN: 0579–AB07

96. • AQUACULTURE; FARM-RAISED FIN FISH

Priority: Other Significant
Legal Authority: 5 USC 5542; 7 USC 147b; 21 USC 111 to 114a; 21 USC 114b to 114c; 21 USC 114h; 21 USC 115; 21 USC 117 to 130; 21 USC 134; 21 USC 134(a) to 134(h); 21 USC 135a; 21 USC 136; 21 USC 136a

CFR Citation: Not yet determined

Legal Deadline: None

Abstract: We have received many petitions asking us to regulate farm-raised fin fish. Based on these petitions, we are asking for comments from the public on whether we should regulate

farm-raised fin fish, and if so, what services we should offer. We are considering programs designed to prevent the importation of diseases and pests of cultured aquatic species. We are also considering programs to prevent the interstate movement of diseases and pests of cultured aquatic species.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/99	
ANPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Otis Miller, National Aquaculture Coordinator, NAHP, Veterinary Services, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 43, Riverdale, MD 20737-1231
 Phone: 301 734-7679

RIN: 0579–AB09

DEPARTMENT OF AGRICULTURE (USDA)
Animal and Plant Health Inspection Service (APHIS)

Proposed Rule Stage

**97. PLANT PEST REGULATIONS;
 UPDATE OF CURRENT PROVISIONS**

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 149; 7 USC 150bb; 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 154; 7 USC 159; 7 USC 160; 7 USC 162; 7 USC 2260; 21 USC 136; 21 USC 136a; 31 USC 9701

CFR Citation: 7 CFR 330

Legal Deadline: None

Abstract: APHIS is developing a proposal 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 certain low-risk 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. These proposed changes 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	09/00/99	
NPRM Comment Period End	11/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dr. Robert Flanders, Entomologist, Scientific Services, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 133, Riverdale, MD 20737-1236
Phone: 301 734-8896

Email: robert.v.flanders@usda.gov

RIN: 0579-AA80

98. KARNAL BUNT

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 7 USC 147a; 7 USC 150bb; 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136 to 136a

CFR Citation: 7 CFR 301; 7 CFR 319

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 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

Action	Date	FR Cite
Final Rule Compensation for 1995-96 Crop Season	05/06/97	62 FR 24746
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	
Final Rule Compensation for the 1997-98 Crop Season	To Be Determined	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Stephen Poe, Operations Officer, Domestic and Emergency Operations, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 134, Riverdale, MD 20737-1236
Phone: 301 734-8247
Email: stephen.r.poe@usda.gov

RIN: 0579-AA83

USDA—APHIS

Proposed Rule Stage

99. VETERINARY SERVICES MULTI-YEAR USER FEES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5542; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114 to 114a; 21 USC 134a to 134d; 21 USC 134f; 21 USC 135; 21 USC 136 to 136a

CFR Citation: 9 CFR 130

Legal Deadline: None

Abstract: We are proposing to amend the user fee regulations by adjusting the fees charged for veterinary services we provide for import and export related activities. We are proposing to adopt user fees for these services for fiscal years 1998 through 2003. Costs to operate the Veterinary Services import-export program increase slightly from year to year due to increase in employee costs (i.e., cost of living, etc.) and changes in other operational costs. Therefore, we have determined that the fees must be adjusted to reflect the anticipated cost of providing these services through fiscal year 2003.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Louise Lothery, Director, VS, Resource Management Support Staff, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 44, Riverdale, MD 20737
Phone: 301 734-7517

Donna Ford, Section Head, M&B, Budget and Accounting Division, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 54, Riverdale, MD 20737

Phone: 301 734-5785

RIN: 0579-AA87

100. INTERSTATE MOVEMENT OF SHEEP AND GOATS FROM STATES THAT DO NOT QUARANTINE SCRAPIE-INFECTED AND SOURCE FLOCKS

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 developing a proposal 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	04/00/99	
NPRM Comment Period End	10/00/99	

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, Riverdale, MD 20737-1231
Phone: 301 734-7716

RIN: 0579-AA90

101. IMPORTATION OF PORK FROM YUCATAN, MEXICO

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 7 USC 147a; 7 USC 150cc; 7 USC 161 to 162; 7 USC 450; 19 USC 1306; 21 USC 111; 21 USC 114a; 21 USC 134a to 134c; 21 USC 134f; 21 USC 136 to 136a; 31 USC 9701; 42 USC 4331 to 4332

CFR Citation: 9 CFR 94

Legal Deadline: None

Abstract: We are proposing to amend the regulations concerning the importation of animal products to relieve certain restrictions on the importation of pork and pork products from the Mexican State of Yucatan. Currently, because of the existence of hog cholera in Mexico, pork and pork products from Yucatan must be heated

or cured and dried to certain specifications to be eligible for entry into the United States. This proposal would establish conditions for the importation of fresh pork and pork products, and other pork that has not been treated to current specifications, from Yucatan into the United States. We are also proposing to allow the importation of pork products from the Mexican State of Sonora in addition to the importation of Sonoran pork and to amend the conditions under which pork and pork products from Sonora may be imported so that these conditions parallel those proposed for pork and pork products from Yucatan. These amendments would establish conditions for the in-transit movement of pork and pork products from Sonora to the United States through areas where hog cholera may exist, and clarify that the pork and pork products from Sonora must come from commercially raised swine slaughtered at federally inspected slaughter plants.

Timetable:

Action	Date	FR Cite
NPRM	02/23/99	64 FR 8755
NPRM Comment Period End	04/26/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Dr. John Cougill, Senior Staff Veterinarian, VS, National Center for Import and Export, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 40, Riverdale, MD 20737-1231

Phone: 301 734-3399

Email: john.w.cougill@usda.gov

RIN: 0579-AA91

102. LICENSING REQUIREMENTS FOR DOGS AND CATS

Priority: Other Significant

Legal Authority: 7 USC 2131 to 2159

CFR Citation: 9 CFR 1; 9 CFR 2

Legal Deadline: None

Abstract: We are considering several changes to the Animal Welfare regulations to ensure the humane handling, care, and treatment of dogs and cats, while concentrating our regulatory efforts on those facilities that present the greatest risk of

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noncompliance with the regulations. Specifically, we are considering revising the definition of "retail pet store" so that it includes only nonresidential, commercial retail stores, rather than any pet retailer. Retail pet stores are not required to be licensed and inspected under the Animal Welfare Act (AWA). If the definition were revised, many pet retailers now exempt from licensing and inspection requirements would have to be licensed and inspected. We are also considering regulating dealers of hunting, breeding, and security dogs in the same manner as other dealers of dogs. Because these changes could severely strain available Federal resources for carrying out inspections and other enforcement activities under the AWA, we are considering increasing the total number of breeding female dogs and/or cats that a person may maintain on his or her premises and be exempt from licensing and inspection requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/24/98	63 FR 34333
ANPRM Comment Period End	09/23/98	
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Bettye Walters, Veterinary Medical Officer, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 84, Riverdale, MD 20737-1234
Phone: 301 734-7833

RIN: 0579-AA95

103. IMPORTATION OF POULTRY FROM SINALOA AND SONORA, MEXICO

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 7 USC 147a; 7 USC 150cc; 7 USC 161 to 162; 7 USC 450; 19 USC 1306; 21 USC 111; 21 USC 114a; 21 USC 134a to 134c; 21 USC 134f; 21 USC 136; 21 USC 136a; 31 USC 9701

CFR Citation: 9 CFR 94.22

Legal Deadline: None

Abstract: We are proposing to amend 9 CFR part 94 to allow for the

importation of fresh (chilled or frozen) poultry meat from the States of Sinaloa and Sonora, Mexico, under certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Michael David, Senior Staff Veterinarian, Animals Program, Department of Agriculture, Animal and Plant Health Inspection Service, National Center for Import and Export, VS, 4700 River Road Unit 39, Riverdale, MD 20737
Phone: 301 734-5034

RIN: 0579-AA96

104. IRRADIATION PHYTOSANITARY TREATMENT OF IMPORTED FRESH FRUITS AND VEGETABLES

Priority: Other Significant

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136 to 136a

CFR Citation: 7 CFR 305; 7 CFR 319.56

Legal Deadline: None

Abstract: This proposed rule 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 other treatments 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	08/00/99	

Action	Date	FR Cite
NPRM Comment Period End	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Peter M. Grosser, Senior Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 140, Riverdale, MD 20737-1236

Phone: 301 734-6799

Email: peter.grosser@usda.gov

RIN: 0579-AA97

105. IMPORTATION OF SOLID WOOD PACKING MATERIAL

Priority: Other Significant

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

CFR Citation: 7 CFR 319.40

Legal Deadline: None

Abstract: We are seeking public input on what actions to take to reduce the risk of solid wood packing materials (e.g., crates, dunnage, wooden spools, pallets, packing blocks) introducing exotic plant pests into the United States. Currently, 9 CFR 319.40-3 requires 100 percent removal of bark from solid wood packing material entering the United States from any part of the world except Canada and the States of Mexico adjacent to the U.S. border. This reduces the risk of pests associated with bark entering the United States, but it has limited effects against other pests, such as deep wood-boring pests and pathogenic fungi. Recent introductions into the United States of exotic plant pests such as pine shoot beetle and Asian long horned beetle have been linked with the importation of solid wood packing material. These and other plant pests pose a serious threat to U.S. agriculture and to natural, cultivated, and urban forests.

Timetable:

Action	Date	FR Cite
ANPRM	01/20/99	64 FR 3049
ANPRM Comment Period End	03/22/99	
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: Undetermined

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Proposed Rule Stage

Government Levels Affected:
Undetermined

Agency Contact: Mr. Richard Orr, Senior Entomologist, Risk Analysis Systems, PPD, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 117, Riverdale, MD 20737-1238
Phone: 301 734-8939

RIN: 0579-AA99

106. • IMPORTATION OF UNMANUFACTURED WOOD FROM MEXICO

Priority: Other Significant

Legal Authority: 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

CFR Citation: 7 CFR 319.40-3

Legal Deadline: None

Abstract: We are proposing to add restrictions on the importation of pine and fir logs and lumber, as well as other unmanufactured wood articles, from Mexico. This change would require that these wood articles from Mexico meet certain treatment and handling requirements to be eligible for importation into the United States. We believe this action is necessary to prevent the introduction into the United States of dangerous plant pests, including forest pests, with unmanufactured wood articles from Mexico.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard Orr, Senior Entomologist, Department of Agriculture, Animal and Plant Health Inspection Service, Risk Analysis Systems, PPD, 4700 River Road Unit 117, Riverdale, MD 20737-1238
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Email: richard.l.orr@usda.gov

RIN: 0579-AB02

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

Priority: Other Significant

Legal Authority: 7 USC 147a; 7 USC 150ee; 7 USC 161 to 162; 7 USC 450; 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; 21 USC 135 to 136a; 31 USC 9701; 42 USC 4331 to 4332

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

Legal Deadline: None

Abstract: We are proposing to recognize certain regions in the European Union as regions where hog cholera is not known to exist, and from which live swine, swine semen, and pork and pork products may be imported into the United States under certain conditions. Additionally, we are proposing to recognize Greece as free of foot-and-mouth disease and swine vesicular disease. We are also proposing to recognize 8 regions in Italy as free of swine vesicular disease.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 0579-AB03

108. • HORSE PROTECTION; HORSE INDUSTRY ORGANIZATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 1823 to 1825; 15 USC 1828; 44 USC 3506

CFR Citation: 9 CFR 11

Legal Deadline: None

Abstract: We are proposing to amend the horse protection regulations as

follows: To require that horse industry organizations (HIO) officers meet standards of conduct similar to those required for a designated qualified person (DQP); to require that HIOs submit horse show schedules to APHIS at least 30 days prior to a show; to require APHIS approval of those portions of HIO rule books relevant to the Horse Protection Act; to require that HIO rule books define what constitutes a conflict of interest for HIO officers and DQPs; and to require that each HIO annually submit to APHIS a financial statement or otherwise demonstrate financial solvency.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Richard Watkins, Initiative Coordinator, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 84, Riverdale, MD 20737-1234
Phone: 301 734-4981

RIN: 0579-AB04

109. • USER FEES—RATE REVISIONS FOR AGRICULTURAL QUARANTINE AND INSPECTION SERVICE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 7 USC 2260; 21 USC 136; 21 USC 136a; 40 USC 1741

CFR Citation: 7 CFR 354.3

Legal Deadline: None

Abstract: We are proposing to amend agricultural quarantine inspection service (AQI) international air passenger, commercial aircraft, commercial vessel, commercial truck, and commercial railroad car user fees to properly recover the cost of providing these services.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

USDA—APHIS

Proposed Rule Stage

Agency Contact: Donna Ford, User Fee Section Head, FSSB, BASE, ABS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 54, Riverdale, MD 20737

Phone: 301 734-8351

RIN: 0579-AB05

110. • INTERSTATE MOVEMENT OF EQUINES TO SLAUGHTER

Priority: Other Significant

Legal Authority: 7 USC 1901 note 1996 Farm Bill

CFR Citation: 9 CFR 88 (New)

Legal Deadline: None

Abstract: We are proposing to 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. The regulations would establish requirements regarding, among other things, the food, water, and rest provided to such equines. The regulations would further prohibit certain equines from being commercially shipped to slaughter and would prohibit the use of electric prods and, within 5 years, double-deck trailers for such movement. The regulations would require the owner or shipper of the equines to certify that the commercial transport meets the requirements of the regulations. 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	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

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, 4700 River Road Unit 43, Riverdale, MD 20737-1231

Phone: 301 734-3279

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RIN: 0579-AB06

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Animal and Plant Health Inspection Service (APHIS)

111. 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 given notice of its review of the present standards to determine what revisions or additions might be necessary and has requested comments on appropriate specific standards for treatment of marine mammals. The Department has conducted negotiated rulemaking (Reg Neg) and is developing proposed changes to the regulations. In addition to identifying regulatory provisions for revision based on negotiated rulemaking, the Department is conducting separate rulemaking to establish standards governing "swim with the dolphins" (SWTD) programs.

Timetable:

Action	Date	FR Cite
ANPRM	07/23/93	58 FR 39458
ANPRM Comment Period End	10/06/93	
NPRM	01/23/95	60 FR 4383
NPRM Comment Period End	02/22/95	
NPRM Comment Period Extended	02/28/95	60 FR 10810
NPRM Comment Period Extended (SWTD)	03/09/95	60 FR 12908
NPRM Comment Period Extended (SWTD)	03/24/95	60 FR 15524
Notice, Establish a Committee (Reg Neg)	05/22/95	60 FR 27049
Correction (Reg Neg)	06/02/95	60 FR 28834
Final Rule Animal Welfare; Marine Mammals, Swim with the Dolphins	09/04/98	63 FR 47128
NPRM Applicability of Regulations	10/14/98	63 FR 55012
Suspension for Enforcement of September 1998 SWTD Final Rule	04/02/99	64 FR 15918

Suspension for Enforcement of September 1998 SWTD Final Rule Effective	04/02/99	
NPRM Animal Welfare; Marine Mammals	05/00/99	
Suspension for Enforcement of September 1998 SWTD Final Rule Comment Period End	06/01/99	64 FR 15918
NPRM Comment Period Ends	06/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

Phone: 301 734-7833

RIN: 0579-AA59

USDA—APHIS

Final Rule Stage

112. IMPORTATION OF LOGS, LUMBER, AND OTHER UNMANUFACTURED WOOD ARTICLES

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 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

CFR Citation: 7 CFR 319

Legal Deadline: None

Abstract: This rule would amend the importation options for importing wood chips from Chile. We have determined that a surface pesticide treatment is effective in rendering large shipments of *Pinus radiata* wood chips from Chile free of plant pests and have approved a surface pesticide treatment for use on *Pinus radiata* wood chips from Chile. Therefore, this rule would allow the importation of *Pinus radiata* wood chips from Chile if the surfaces of the wood chips are treated with a pesticide approved by the Administrator. This rule would also allow solid wood packing materials used with unregulated articles to be imported without an importer document.

Timetable:

Action	Date	FR Cite
NPRM	07/28/98	63 FR 40193
NPRM Comment Period End	09/28/98	
Final Action	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ronald Campbell, Operations Officer, Program Support Staff, PPQ, APHIS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 60, Riverdale, MD 20737-1236
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Email: rcampbell@aphis.usda.gov

RIN: 0579-AA82

113. IMPORTATION OF GRAPEFRUIT, LEMONS, AND ORANGES FROM ARGENTINA

Priority: Other Significant

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

CFR Citation: 7 CFR 300; 7 CFR 319.28; 7 CFR 319.56

Legal Deadline: None

Abstract: APHIS is proposing to amend its citrus fruit regulations by recognizing a citrus-growing area within Argentina as being free from citrus canker. Surveys conducted by Argentine plant health authorities in that area of Argentina have shown the area to be free from citrus canker, and Argentine authorities are enforcing restrictions designed to protect the area from the introduction of that disease. APHIS is also proposing to amend its fruits and vegetables regulations to allow the importation of grapefruit, lemons, and oranges from the citrus canker-free area of Argentina under conditions designed to prevent the introduction into the United States of two other diseases of citrus, sweet orange scab and citrus black spot, and other plant pests. These proposed changes would modify the citrus fruits regulations to recognize the citrus canker-free area of Argentina and would add provisions to the fruits and vegetables regulations that would allow the importation, from Argentina, of grapefruit, lemons, and oranges subject to certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	08/12/98	63 FR 43117
NPRM Comment Period End	02/11/99	
Final Action	12/00/99	
Final Action Effective	01/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ronald Campbell, Import Specialist, Department of Agriculture, Animal and Plant Health Inspection Service, PPQ, Phytosanitary Issues Management Team, 4700 River Road Unit 140, Riverdale, MD 20737-1236
Phone: 301 734-6799
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RIN: 0579-AA92

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

Priority: Other Significant

Legal Authority: 7 USC 147a; 7 USC 150ee; 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; 21 USC 135 to 136; 21 USC 136a; 31 USC 9701

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 recognizes levels of risk for bovine spongiform encephalopathy (BSE) in foreign regions, based on the incidence of BSE in each region and the monitoring and surveillance conducted for BSE in that region. This action also relieves restrictions with regard to BSE on the importation from certain countries of ruminants and meat, meat products, and other edible products of ruminants, and relieves restrictions under certain conditions on the importation of meat from ruminants of the family Cervidae.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

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, 4700 River Road Unit 38, Riverdale, MD 20737-1231

Phone: 301 734-8590

RIN: 0579-AA98

115. IMPORTATION OF RHODODENDRON IN GROWING MEDIA

Priority: Other Significant

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

USDA—APHIS

Final Rule Stage

CFR Citation: 7 CFR 319.37-8**Legal Deadline:** None**Abstract:** We are amending our regulations to allow the importation from Europe of rhododendron established in growing media.**Timetable:**

Action	Date	FR Cite
NPRM	09/07/93	58 FR 47074
NPRM Comment Period End	12/06/93	
Final Rule on All of 9/7/93 NPRM Except Rhododendron (Effective 2/13/95)	01/13/95	60 FR 3067
NPRM Comment Period Extended - Rhododendron	04/30/98	63 FR 23683
NPRM Comment Period Extended - Rhododendron	06/01/98	63 FR 29675
NPRM Comment Period End - Rhododendron	07/30/98	
Final Rule - Rhododendron	07/00/99	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Peter M. Grosser, Senior Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 140, Riverdale, MD 20737-1236

Phone: 301 734-6799

Email: peter.grosser@usda.gov

RIN: 0579-AB00

116. • NOXIOUS WEEDS; RESTRICTIONS ON INTERSTATE MOVEMENT**Priority:** Other Significant**Legal Authority:** 7 USC 147a; 7 USC 150bb; 7 USC 150dd to 105ff; 7 USC 161 to 162; 7 USC 164 to 167; 7 USC 2803; 7 USC 2809**CFR Citation:** 7 CFR 360.300**Legal Deadline:** None**Abstract:** We are amending the noxious weed regulations so that they clearly state that a permit is required for the movement of noxious weeds into or through the United States or interstate. The regulations currently provide for the issuance of permits, but do not explicitly state that a permit must be obtained before a noxious weed may be moved into or through the United States or interstate. These actions are necessary to update the regulations and prevent the artificial spread of noxious weeds into the United States and into noninfested areas of the United States.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Randy Westbrook, Invasive Plant Liaison, PPQ, Interagency Field Office for Invasive Species, Department of Agriculture, Animal and Plant Health Inspection Service, 233 Border Belt Drive, PO Box 279, Whiteville, NC 28472
Phone: 910 648-6762

Fax: 910 648-6763

RIN: 0579-AB08

117. • PSEUDORABIES IN SWINE; PAYMENT OF INDEMNITY**Priority:** Other Significant**Legal Authority:** 21 USC 111 to 114a; 21 USC 120 to 121; 21 USC 125; 21 USC 134**CFR Citation:** 9 CFR 52**Legal Deadline:** None**Abstract:** We are amending the animal health regulations to provide for the payment of indemnity by the United States Department of Agriculture for the voluntary depopulation of herds of swine known to be infected with pseudorabies.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/12/99	64 FR 2545
Interim Final Rule Comment Period End	04/16/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Dr. Keith Hand, Senior Staff Veterinarian, National Center for Import and Export, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road Unit 41, Riverdale, MD 20737-1231
Phone: 301 734-8073

RIN: 0579-AB10

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Animal and Plant Health Inspection Service (APHIS)

118. IMPORTATION OF FRUITS AND VEGETABLES**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.**CFR Citation:** 7 CFR 319.56**Timetable:**

Action	Date	FR Cite
ANPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Jane Levy
Phone: 301 734-8259

RIN: 0579-AA58

119. IMPORTATION OF CERTAIN EMBRYOS AND ANIMAL SEMEN**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:** Dr. Roger Perkins
Phone: 301 734-8419

USDA—APHIS

Long-Term Actions

Email: roger.w.perkins@usda.gov
 RIN: 0579-AA63

120. IMPORTATION OF FUJI APPLES FROM THE REPUBLIC OF KOREA

Priority: Other Significant
CFR Citation: 7 CFR 319
Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Peter M. Grosser
 Phone: 301 734-6799
 Email: peter.m.grosser@usda.gov
 RIN: 0579-AA93

121. REVISIONS TO LICENSING REQUIREMENTS: ANIMAL WELFARE

Priority: Other Significant
CFR Citation: 9 CFR 2
Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None
Agency Contact: Dr. Bettye Walters
 Phone: 301 734-8100
 RIN: 0579-AA94

122. • REQUIRING TREATMENT OF SOLID WOOD PACKING MATERIAL FROM CHINA

Priority: Economically Significant. Major under 5 USC 801.
Legal Authority: 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 161 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a
CFR Citation: 7 CFR 319.40
Legal Deadline: None

Abstract: We are amending the regulations for importing logs, lumber, and other unmanufactured wood articles by adding treatment and documentation requirements for solid wood packing material imported from China. This change means that wooden pallets, crating, dunnage, and other wooden packing material imported into the United States from China will have to be heat treated, fumigated, or treated with preservatives prior to departure from China. This action will affect anyone who uses solid wood packing material in connection with exporting commodities from China to the United States. This action is necessary to control the risk that solid wood packing material from China could introduce dangerous plant pests, including forest pests, into the United States, a risk demonstrated by many recent incidents where exotic pests were detected in solid wood packing material from China.

States. This action is necessary to control the risk that solid wood packing material from China could introduce dangerous plant pests, including forest pests, into the United States, a risk demonstrated by many recent incidents where exotic pests were detected in solid wood packing material from China.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/18/98	63 FR 50100
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: Ronald Campbell, Import Specialist, Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236
 Phone: 301 734-6799
 RIN: 0579-AB01

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Animal and Plant Health Inspection Service (APHIS)

123. ADDITION OF CERVIDAE TO THE REGULATIONS CONCERNING TUBERCULOSIS IN LIVESTOCK

Priority: Substantive, Nonsignificant
CFR Citation: 9 CFR 77; 9 CFR 91

Completed:

Reason	Date	FR Cite
Final Action	12/31/98	63 FR 72104
Final Action Effective	02/01/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Dr. Joseph Van Tiem
 Phone: 301 734-7716
 RIN: 0579-AA53

124. HSTAIC REPAIR AND MAINTENANCE FEES

Priority: Other Significant
CFR Citation: 9 CFR 92.430; 9 CFR 92.522

Completed:

Reason	Date	FR Cite
Final Action - Facility Closed	12/21/98	63 FR 64173
Final Action Effective	12/21/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Joan Montgomery
 Phone: 301 734-8172
 RIN: 0579-AA69

125. PHYTOSANITARY EXPORT CERTIFICATION; ACCREDITATION OF NONGOVERNMENT FACILITIES

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.

CFR Citation: 7 CFR 353

Completed:

Reason	Date	FR Cite
Final Action	01/08/99	64 FR 1098
Final Action Effective	02/08/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Nancy G. Klag
 Phone: 301 734-8262

USDA—APHIS

Completed Actions

Email: narcy.g.klag@usda.gov

RIN: 0579-AA75

BILLING CODE 3410-34-F

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

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

126. 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	09/00/99	
NPRM Comment Period End	11/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

Phone: 202 720-9181

Fax: 202 401-7752

Email: pcarter@reeusda.gov

RIN: 0524-AA09

127. 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	09/00/99	
NPRM Comment Period End	11/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA17

128. 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	06/00/99	

Action	Date	FR Cite
NPRM Comment Period End	08/00/99	
Interim Final Rule	10/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA19

129. 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

USDA—CSREES

Proposed Rule Stage

awardee may apply for a Phase II award.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	06/00/99	
Interim Final Rule	08/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA20

130. 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	09/00/99	
NPRM Comment Period End	11/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA21

131. 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 (PL 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	06/00/99	
NPRM Comment Period End	08/00/99	
Interim Final Rule	10/00/99	

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

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RIN: 0524-AA22

132. STAKEHOLDER INPUT TO RESEARCH, EDUCATION, AND EXTENSION FORMULA FUNDS

Priority: Other Significant

Legal Authority: 7 USC 7612(c)(2); 5 USC 301

CFR Citation: 7 CFR 3419

Legal Deadline: None

Abstract: The Cooperative State Research, Education, and Extension Service proposes a rule to implement Section 102(c) of the Agricultural Research Extension and Education Reform Act of 1998 (AREERA) & 7 U.S.C. 7612(c) which requires 1862 land grant institutions 1890 land-grant institutions, and 1994 land grant institutions that receive agricultural research extension or education formula funds to establish a process for stakeholder input on the uses of such funds.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	
Interim Final Rule	08/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA23

USDA—CSREES

Proposed Rule Stage

133. • MATCHING FUNDS REQUIREMENT FOR FORMULA FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION ACTIVITIES AT 1890 LAND GRANT INSTITUTIONS AND TUSKEGEE UNIVERSITY**Priority:** Other Significant**Legal Authority:** 7 USC 3222(d)**CFR Citation:** 7 CFR 3418**Legal Deadline:** None

Abstract: The Cooperative State Research, Education, and Extension Service (CSREES) proposes a rule to implement section 226 of the Agricultural Research, Extension, and Education Reform Act of 1998

(AREERA) (7 U.S.C. 7612(c)) which amends subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (NARETPA). This section requires matching funds from non-Federal sources for formula funds authorized under sections 1444 and 1445 of NAREPTA for agricultural research and extension activities at the 1890 land-grant institutions and Tuskegee University.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	
Interim Final Rule	09/00/99	

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, Stop 2299, 1400 Independence Avenue SW., Washington, DC 20250-2299

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RIN: 0524-AA24

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

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

134. AGRICULTURAL TELECOMMUNICATIONS PROGRAM ADMINISTRATIVE PROVISIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 3417**Completed:**

Reason	Date	FR Cite
Withdrawn - This Program Is No Longer Funded	01/15/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter

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RIN: 0524-AA12

BILLING CODE 3410-22-F

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Rural Housing Service (RHS)

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

Legal Authority: PL 100-259; 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; 29 USC 794; PL 94-135; 42 USC 6101 et seq; PL 94-239; 15 USC 1601 et seq; EO 11246

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

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	05/00/99	
NPRM Comment Period End	07/00/99	

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, Stop 0703, 1400 Independence Avenue SW., Washington, DC 20250

Phone: 202 692-0097

TDD: 202 692-0107

Fax: 202 962-0095

RIN: 0575-AA83

USDA—RHS

Proposed Rule Stage

136. 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; 7 USC 1989; 42 USC 1475; 42 USC 1479; 42 USC 1480; 42 USC 1481; 42 USC 1484; 42 USC 1485; 42 USC 1486; 42 USC 1490a

CFR Citation: 7 CFR 1806 subpart A; 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; 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

Legal Deadline: None

Abstract: Re invention 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	08/00/99	

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
 Fax: 202 690-3444
 Email: jallen@rdmail.rural.usda.gov

RIN: 0575-AC13

137. GUARANTEED RURAL HOUSING LOAN SINGLE FAMILY

Priority: Other Significant

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

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 3555; 7 CFR 1980 subpart D

Legal Deadline: None

Abstract: Re invention of the Agency's regulations for guaranteeing loans on single family housing.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: David Villano, Special Assistant to the Administrator, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., STOP 0701, Washington, DC 20250-0701

Phone: 202 720-1628
 Fax: 202 690-0500
 Email: david.villano@usda.gov

RIN: 0575-AC18

138. FARM LABOR HOUSING—COMPETITIVE FUNDING

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; 42 USC 1484; 42 USC 1486

CFR Citation: 7 CFR 1944 subpart D

Legal Deadline: None

Abstract: Implement a simplified application process in conjunction with an annual competitive funding cycle for the Farm Labor Housing loan and grant program. This program finances housing that serves migrant seasonal and year-round farm laborers who are U.S. citizens or admitted for permanent residency and who work a substantial portion of their time as farm workers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Joyce Allen, Special Assistant to Deputy Administrator, Multi-Family Housing, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Washington, DC 20250

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 Fax: 202 690-3441
 Email: jallen@rdmail.rural.usda.gov

RIN: 0575-AC19

DEPARTMENT OF AGRICULTURE (USDA)
Rural Housing Service (RHS)

Final Rule Stage

139. 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 1948 subpart C; 7 CFR 1980 subpart E; 7 CFR 1980 subpart I

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
NPRM Comment Period End	07/05/94	
Final Action	08/00/99	

Regulatory Flexibility Analysis
Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Local, Tribal, Federal

Agency Contact: Sherie Hinton Henry, Director, Financial Management Division, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Stop 0707, Washington, DC 20250
 Phone: 202 692-0080
 Fax: 202 692-0088

RIN: 0575-AA66

140. 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
Final Action	09/00/99	
Final Action Effective	10/00/99	

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, Senior Loan Specialist, Single Family Housing, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Stop 0783, Washington, DC 20250
 Phone: 202 720-1486

RIN: 0575-AB99

141. COMMUNITY FACILITY GRANTS
Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1989; 16 USC 1005; 5 USC 301

CFR Citation: 7 CFR 3570 subpart B

Legal Deadline: None

Abstract: The Agency is establishing a new grant program for community

facilities. Grant purposes are the same as the Community Facilities direct and guaranteed programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/07/97	62 FR 16465
Final Action	06/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Jennifer Barton, Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Stop 3222, Washington, DC 20250
 Phone: 202 720-1504

RIN: 0575-AC10

142. DIRECT SINGLE-FAMILY HOUSING LOANS AND GRANTS
Priority: Other Significant

Legal Authority: 42 USC 1472

CFR Citation: 7 CFR 1924 subpart A; 7 CFR 1944 subpart E; 7 CFR 1980 subpart D; 7 CFR 3550 subpart B

Legal Deadline: None

Abstract: The Agency is changing the thermal requirements for manufactured housing. Manufactured homes are no longer required to meet the RHS's thermal requirements. The recent HUD increase in the thermal requirements of the building envelope for manufactured home is substantial. The thermal performance of a unit built to the requirements is comparable to the thermal performance of a unit built to the requirements of RHS climatic zones.

Timetable:

Action	Date	FR Cite
NPRM	10/06/98	63 FR 53616
NPRM Comment Period End	12/07/98	
Final Action	08/00/99	
Final Action Effective	09/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Sam Hodges, III, Architect, Program Support Staff, Department of Agriculture, Rural Housing Service, Stop 0761, Rm. 6309 South Building, 1400 Independence Avenue SW., Washington, DC 20250
 Phone: 202 720-9653

USDA—RHS

Final Rule Stage

Fax: 202 690-4335
 RIN: 0575-AC11

143. 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 Program 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. Agency field staff will receive an instruction which will include the administrative portion and the published regulations.

Timetable:

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Beth Jones, Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, 1400

Independence Avenue SW., Stop 0787, Washington, DC 20250
 Phone: 202 720-1498
 Fax: 202 690-0471
 Email: epjones@rdasun2.rurdev.usda.gov
RIN: 0575-AC12

144. SECTION 538 GUARANTEE RURAL RENTAL HOUSING PROGRAM

Priority: Other Significant
Legal Authority: 42 USC 1490p-2; 5 USC 301; 7 USC 1
CFR Citation: 7 CFR 3565
Legal Deadline: None
Abstract: Implement the Rural Rental Housing Guarantee Loan Program authorized by section 538 of the Housing Act of 1949 as amended. This program will serve moderate income rural families with incomes up to 115 percent of area median. This will increase the stock of affordable, decent, safe, and sanitary housing for such families and individuals at reduced cost to the Government. Where current direct lending costs \$50 per \$100 lent, the guarantee program will cost approximately \$4 per \$100 guaranteed.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/98	63 FR 39451
Final Action	07/00/99	
Final Action Effective	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Carl Wagner, Senior Loan Officer, Multi-Family Housing Processing Div., Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Washington, DC 20250
 Phone: 202 720-1604
 Fax: 202 690-3444

Email: cwagner@usda.gov
RIN: 0575-AC14

145. COMMUNITY PROGRAMS GUARANTEED LOANS

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 1989; 42 USC 1480; 5 USC 301

CFR Citation: 7 CFR 1980 subpart I

Legal Deadline: None

Abstract: To amend subject regulation to provide more comprehensive guidance to lenders, borrowers, and Agency staff. These changes will better organize the regulation and make the program more accessible to rural lenders. Finally these changes will reflect our new Agency structure under USDA's reorganization.

Timetable:

Action	Date	FR Cite
NPRM	10/07/97	62 FR 52277
NPRM Comment Period End	12/08/97	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mel Padgett, Senior Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW., Stop 3222, Washington, DC 20250
 Phone: 202 720-1495
 Fax: 202 690-0471
RIN: 0575-AC17

DEPARTMENT OF AGRICULTURE (USDA) Rural Housing Service (RHS)

Long-Term Actions

146. 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.
CFR Citation: 40 CFR 300; 40 CFR 260; 40 CFR 700; 40 CFR 400; 7 CFR 1940

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: None
Agency Contact: Susan Wieferich
 Phone: 202 720-9647
RIN: 0575-AB98

USDA—RHS

Long-Term Actions

147. NATIONAL FLOOD INSURANCE REGULATIONS**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.

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:** State, Local, Tribal, Federal**Agency Contact:** Don Lander
Phone: 202 720-9656**RIN:** 0575-AC07

BILLING CODE 3410-07-F

DEPARTMENT OF AGRICULTURE (USDA)**Proposed Rule Stage****Federal Crop Insurance Corporation (FCIC)****148. GENERAL ADMINISTRATIVE REGULATIONS; HIGH RISK LAND REGULATIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation adds new regulations to be known as High Risk Land Regulations. The intended effect of this rule is to set forth rates apart from those prescribed by standard actuarial tables and coverage procedures for acreage on which actual or expected frequency and severity of loss does not reasonably conform to standard insurance coverage and rating determination methods.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AA98

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	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB00**150. 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	05/00/99	

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
Fax: 202 690-5879

RIN: 0563-AB63**151. 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.

149. 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

USDA—FCIC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

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

Fax: 202 690-5879

RIN: 0563-AB64**152. 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	05/00/99	

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**153. 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	05/00/99	

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

Fax: 202 690-5879

RIN: 0563-AB71**154. GENERAL ADMINISTRATIVE REGULATIONS; REINSURANCE AGREEMENT—STANDARDS FOR APPROVAL****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None**Abstract:** To provide regulatory authority for the issuance of final determinations by the Administrator. Final determinations are currently being issued by the agency official responsible for entering into Standard Reinsurance Agreements with private sector insurance companies. Final determinations made by the agency cite contract violations and also require that corrective action be taken.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	

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

Fax: 202 690-5879

RIN: 0563-AB72**155. 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	05/00/99	

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

Fax: 202 690-5879

RIN: 0563-AB73**156. • COMMON CROP INSURANCE REGULATIONS; FLORIDA FRUIT TREE CROP INSURANCE PROVISIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None**Abstract:** The Federal Crop Insurance Corporation proposes to convert the

USDA—FCIC

Proposed Rule Stage

Florida fruit tree pilot insurance program to a permanent insurance program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Timothy Hoffmann, Director, Product Development Branch,

Department of Agriculture, Federal Crop Insurance Corporation, 9435 Holmes Road, Kansas City, MO 64141
Phone: 816 926-7743

RIN: 0563-AB75

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Federal Crop Insurance Corporation (FCIC)

157. GROUP RISK PLAN CROP INSURANCE PROVISIONS; PART 407**Priority:** Other Significant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 407**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation (FCIC) hereby proposes to issue provisions which will outline a new risk management tool to be known as the Group Risk Plan of Insurance (GRP). This plan will insure against the widespread loss of production of certain crops in a county and is intended primarily for use by those farmers whose yields tend to follow the county average yield. GRP pays only when the average yield of the entire county drops below the expected county yield for the insured crop set by the FCIC. Payment is based on the percentage of county or area wide loss below the insured's trigger yield. Specific GRP Crop Insurance Provisions will be proposed for cotton, wheat, barley, corn, grain, sorghum, soybeans, forage production, and peanuts.

Timetable:

Action	Date	FR Cite
NPRM	10/08/96	61 FR 52717
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB06**158. 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 Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB07**159. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART V; SUBMISSION OF POLICIES AND PROVISIONS OF POLICIES AND RATES OF PREMIUM****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: This rule proposes to add a new subpart to the General Administrative Regulations which will provide guidelines for FCIC approval of supplemental and alternative crop insurance policies and policy provisions developed by FCIC approved insurance providers.

Timetable:

Action	Date	FR Cite
NPRM	09/11/97	62 FR 47772
NPRM Comment Period End	11/10/97	
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB15**160. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART J; APPEAL PROCEDURE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: This proposed rule will amend FCIC appeal procedures by outlining provisions that producers must follow when appealing decisions which deny them program benefits or eligibility.

USDA—FCIC

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/29/95	60 FR 67298
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB17**161. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART N; DISASTER ASSISTANCE ACT OF 1988****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: This rule proposes to revise subpart N of the General Administrative Regulations by repealing obsolete disaster guidelines and requiring the mandatory purchase of catastrophic crop insurance for program crops as a prerequisite for obtaining benefits under any commodity price subpart, production adjustment, or conservation program administered by USDA, or any farmer loan program, whether these programs are administered by FCIC or CFSA.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB20**162. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 400****Priority:** Other Significant**Legal Authority:** 16 USC 3811; 16 USC 3821**CFR Citation:** 7 CFR 400.47**Legal Deadline:** Final, Statutory, July 3, 1996.

Abstract: This action will implement requirements of the Federal Agriculture Improvement and Reform Act of 1996 to provide that producers will no longer be required to be in compliance with the highly erodible land and wetland conservation provisions of the Food Security Act of 1985 in order to be eligible to obtain crop insurance. No cost is expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/23/96	61 FR 38057
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB59**163. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 401****Priority:** Other Significant**Legal Authority:** 16 USC 3811; 16 USC 3821**CFR Citation:** 7 CFR 401.8**Legal Deadline:** Final, Statutory, July 3, 1996.

Abstract: This action will implement requirements of the Federal Agricultural Improvement and Reform Act of 1996 to provide that producers will no longer be required to be in compliance with the highly erodible land and wetland conservation provisions of the Food Security Act of 1985 in order to be eligible to obtain crop insurance. No cost is expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/26/96	61 FR 39048
Final Action	05/00/99	

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

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0525, 1400 Independence Avenue SW., Washington, DC 20250-0525
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB60**164. GENERAL ADMINISTRATIVE REGULATIONS; NONSTANDARD UNDERWRITING CLASSIFICATION SYSTEM****Priority:** Economically Significant. Major under 5 USC 801.**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 proposed 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	
NPRM	09/02/98	63 FR 46703
Final Action	05/00/99	

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

Agency Contact: Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance

USDA—FCIC

Final Rule Stage

Corporation, 1400 Independence Avenue SW., Washington, DC 20250-0801

Phone: 202 720-2832

Fax: 202 690-5879

RIN: 0563-AB66

165. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART T—REGULATIONS FOR THE 1999 AND SUBSEQUENT REINSURANCE YEARS

Priority: Other Significant. Major under 5 USC 801.

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

CFR Citation: 7 CFR 400; 7 CFR 457

Legal Deadline: Final, Statutory, July 1, 1998.

Abstract: The Federal Crop Insurance Corporation (FCIC) amends subpart T in the General Administrative Regulations and the Common Crop Insurance Regulations, Basic Provisions, to conform with the statutory mandates of the Agricultural Research, Extension, and Education Reform Act of 1998 and to move those provisions that are terms of insurance from subpart T into the Basic Provisions. FCIC will also remove those provisions of subpart T that have been moved to the Basic Provisions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/98	63 FR 40632
Final Action	05/00/99	

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 Ave SW., Washington DC 20250-0801
Phone: 202 720-2832

Fax: 202 690-5879

RIN: 0563-AB67

166. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART U; AND CATASTROPHIC RISK PROTECTION ENDORSEMENT—REGULATIONS FOR THE 1999 AND SUBSEQUENT REINSURANCE YEARS

Priority: Other Significant. Major under 5 USC 801.

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

CFR Citation: 7 CFR 400; 7 CFR 402

Legal Deadline: Final, Statutory, July 1, 1998.

Abstract: The Federal Crop Insurance Corporation amends the General Administrative Regulations, subpart U—Ineligibility for Programs Under the Federal Crop Insurance Act and the Catastrophic Risk Protection Endorsement to conform with the statutory mandates of the Agricultural Research, Extension, and Education Reform Act of 1998.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/98	63 FR 40630
Final Action	05/00/99	

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 Ave SW., Washington DC 20250-0801
Phone: 202 720-2832
Fax: 202 690-5879

RIN: 0563-AB68

167. • GENERAL ADMINISTRATIVE REGULATIONS; INTERPRETATIONS OF STATUTORY AND REGULATORY PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p); PL 105-185, sec 533

CFR Citation: 7 CFR 400

Legal Deadline: Final, Statutory, December 20, 1998.

Abstract: The Federal Crop Insurance Corporation amends the General Administrative Regulations to implement the statutory mandates of section 533 of the Agricultural Research, Extension, and Education Reform Act of 1998. The intended effect is to provide procedures for responding to requests for final agency interpretations regarding any provision of the Federal Crop Insurance Act or any regulation promulgated thereunder.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/21/98	63 FR 70312
Final Action	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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: Marian Jenkins, Assistant Deputy Administrator for Regional Service Offices, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW., Washington, DC 20250-0805

Phone: 202 720-5290

RIN: 0563-AB74

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Federal Crop Insurance Corporation (FCIC)

168. DAIRY OPTIONS PILOT PROGRAM

Priority: Other Significant

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Final Action	11/06/98	63 FR 59930
Final Action Effective	12/14/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Diana Moslak

Phone: 202 720-2832

Fax: 202 690-5879

RIN: 0563-AB61

USDA—FCIC

Completed Actions

169. COMMON CROP INSURANCE REGULATIONS; COTTON AND ELS COTTON CROP INSURANCE PROVISIONS**Priority:** Other Significant**CFR Citation:** 7 CFR 457.104; 7 CFR 457.105**Completed:**

Reason	Date	FR Cite
Final Action	12/03/98	63 FR 66715
Final Action Effective	11/30/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Diana Moslak
Phone: 202 720-2832
Fax: 202 690-5879**RIN:** 0563-AB62**170. COMMON CROP INSURANCE REGULATIONS; BASIC PROVISIONS****Priority:** Other Significant**CFR Citation:** 7 CFR 457**Completed:**

Reason	Date	FR Cite
Final Action	12/03/98	63 FR 66706
Final Action Effective	11/30/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Diana Moslak
Phone: 202 720-2832
Fax: 202 690-5879**RIN:** 0563-AB69

BILLING CODE 3410-08-F

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Grain Inspection, Packers and Stockyards Administration (GIPSA)

171. REVIEW INSPECTION REQUIREMENTS**Priority:** Other Significant**Legal Authority:** 7 USC 71 et seq**CFR Citation:** 7 CFR 800.125; 7 CFR 800.135**Legal Deadline:** None

Abstract: GIPSA is proposing to revise regulations under the US 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	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** George Wollam,
Regulatory Liaison, Department of
Agriculture, Grain Inspection, Packers
and Stockyards Administration, Room
0623A, 1400 Independence Ave SW.,
Washington, DC 20250
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov**RIN:** 0580-AA58**172. REGULATIONS ISSUED UNDER PACKERS AND STOCKYARDS ACT (FEED WEIGHT)****Priority:** Other Significant**Legal Authority:** 7 USC 204; 7 USC 228**CFR Citation:** 9 CFR 201.49; 9 CFR 201.55; 9 CFR 201.71; 9 CFR 201.72; 9 CFR 201.73**Legal Deadline:** None

Abstract: The Agency is proposing to amend existing scales and weighing regulations under the Packers and Stockyards Act to include feed when the weight of the feed is a factor in determining payment to growers. The proposed amendments to existing regulations would require that scale tickets be issued containing certain required information and that the weight be printed by a printing device; the actual weight be printed on scale tickets or otherwise explained; scales be installed, maintained, operated, and tested in accordance with National Institute of Standards and Technology Handbook 44, 1996; scales be tested twice each calendar year at intervals of approximately 6 months by competent

persons; and scales be operated by qualified persons in accordance with the regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/02/99	64 FR 15938
NPRM Comment Period End	06/01/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** George Wollam,
Regulatory Liaison, Department of
Agriculture, Grain Inspection, Packers
and Stockyards Administration, Room
0623 South, 1400 Independence Ave
SW., Washington, DC 20250
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov**RIN:** 0580-AA64**173. • OFFICIAL TESTING SERVICE FOR BARLEY PROTEIN ANALYSIS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 71**CFR Citation:** 7 CFR 800.71; 7 CFR 801.9**Legal Deadline:** None

Abstract: GIPSA is proposing to offer testing of barley for protein content as an official service at selected field locations. This will be a further expansion of the use of currently approved Near-Infrared Spectroscopy (NIRS) technology in its national official inspection program. Upon

USDA—GIPSA

Proposed Rule Stage

request of an applicant, official inspection personnel will determine protein in barley under authority of the US Grain Standards Act (USGSA) as an official criterion. Percent protein will be reported to the nearest tenth percent on dry matter basis (zero moisture basis) unless another moisture basis is requested. GIPSA believes that this service will enhance the marketability of US barley traded in the domestic and export markets. To cover the cost of

this service, GIPSA proposes to amend regulations to provide fees similar to those already in place for this type testing.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: George Wollam, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW., Washington, DC 20250
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA68

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Grain Inspection, Packers and Stockyards Administration (GIPSA)

174. 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	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: George Wollam, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623 S, 1400 Independence Ave SW., Washington, DC 20250
Phone: 202 720-0292
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Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA57

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Grain Inspection, Packers and Stockyards Administration (GIPSA)

175. POULTRY GROWER CONTRACTS, SCALES, WEIGHING

Priority: Other Significant

CFR Citation: 9 CFR 201

Timetable:

Action	Date	FR Cite
ANPRM	02/10/97	62 FR 5935
ANPRM Comment Period End	05/12/97	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: George Wollam
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov
RIN: 0580-AA51

176. REGULATIONS UNDER PACKERS AND STOCKYARDS ACT (PRICE REPORTING)

Priority: Other Significant

CFR Citation: 9 CFR 200

Timetable:

Action	Date	FR Cite
ANPRM	09/10/98	63 FR 48450

Action	Date	FR Cite
ANPRM Comment Period End	12/09/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Wollam
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA65

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Grain Inspection, Packers and Stockyards Administration (GIPSA)

177. GRAIN INSPECTION GENERAL 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.

CFR Citation: 7 CFR 800

Completed:

Reason	Date	FR Cite
Withdrawn	10/28/98	

Regulatory Flexibility Analysis Required: No

USDA—GIPSA

Completed Actions

Government Levels Affected: None

Agency Contact: George W. Wollam
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA53

178. CLEAR TITLE FOR PURCHASERS OF FARM PRODUCTS

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 205.209

Completed:

Reason	Date	FR Cite
Final Action	12/03/98	63 FR 66720
Final Action Effective	01/04/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: George Wollam
Phone: 202 720-0292
Fax: 202 720-4628
Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA63

179. FEES FOR OFFICIAL INSPECTION AND OFFICIAL WEIGHING SERVICES (1999)

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 800.71

Completed:

Reason	Date	FR Cite
Final Action	12/23/98	63 FR 70990
Final Action Effective	02/01/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: George Wollam
Phone: 202 720-0292
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RIN: 0580-AA66

180. • FEES FOR RICE INSPECTION SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1621

CFR Citation: 7 CFR 868.91

Legal Deadline: None

Abstract: The Agency proposed to increase fees for Federal rice inspection services performed under the Agricultural Marketing Act. This fee increase is intended to recover operational costs created by the January 1, 1999, increase to Federal salaries.

Timetable:

Action	Date	FR Cite
NPRM	11/25/98	63 FR 65134
NPRM Comment Period End	01/25/99	
Final Action	02/12/99	64 FR 7057
Final Action Effective	03/01/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: George Wollam, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW., Washington, DC 20250
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Email: gwollam@fgisdc.usda.gov

RIN: 0580-AA67

BILLING CODE 3410-EN-F

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Food and Nutrition Service (FNS)

181. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): FOOD DELIVERY SYSTEMS INTEGRITY

Priority: Other Significant

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: NPRM, Statutory, March 1, 1999. Final, Statutory, March 31, 2000.

Abstract: A proposed rule addressing WIC Food Delivery Systems was published on December 28, 1990 (55 FR 53446). The Department provided a 120-day comment period for the proposed rule, which closed on April 28, 1991. Nearly 1,100 comments were received from a wide variety of sources. Despite the degree of preliminary input to the December 28, 1990, proposed rule, many of the commenters responding during the formal comment period suggested that the Department's food delivery regulations needed to be proposed again, rather than proceeding directly to a final rule. In addition,

several members of Congress requested that the rule be repropounded in light of its impact on State agency food delivery systems. Therefore, the Department intends to issue a second proposed rule addressing WIC food delivery systems and requirements. This second rule will address all of the provisions contained in the previous rulemaking, but will contain significant modifications to some of the proposed provisions, as well as clarifications of several provisions that may not have been clearly understood in the earlier rule. See also RIN 0584-AC50 for related provisions that fulfill the statutory deadline.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	09/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal

Sectors Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AA80

182. 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

USDA—FNS

Proposed Rule Stage

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 strengthens the provision of services to participants in the areas of eligibility determination and nutrition education and increases State agency flexibility regarding the sharing of participant information with other programs. Several minor clarifications and technical corrections are also made. (89-515)

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
NPRM Comment Period End	01/00/00	
Final Action	03/00/00	

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, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB10

183. PROVISIONS OF COMPUTER MATCHING AND PRIVACY PROTECTION ACT OF 1988, AMENDMENTS OF 1990, AND IMPLEMENTATION OF THE DISQUALIFIED RECIPIENT SUBSYSTEM

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: In accordance with the Computer Matching and Privacy Protection Act, PL 100-503, and the Computer Matching and Privacy Protection Amendments of 1990, PL 101-508, the Food Stamp Program must extend certain protections to persons whose benefits could be adversely affected by computer matches. These protections 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.

In addition, this proposed rule describes requirements for State agencies to report information on individuals disqualified from the program for intentional program violations to FCS and the related FCS computer matching program known as the Disqualified Recipient Subsystem (DRS). (89-010)

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	
NPRM Comment Period End	01/00/00	
Final Action	07/00/00	
Final Action Effective	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB51

184. FOOD STAMP PROGRAM: REVISIONS TO THE RETAIL FOOD STORE DEFINITION AND PROGRAM AUTHORIZATION GUIDANCE

Priority: Other Significant

Legal Authority: PL 103-225; 7 USC 2012; 7 USC 2018

CFR Citation: 7 CFR 271; 7 CFR 278

Legal Deadline: Final, Statutory, March 25, 1994.

Abstract: This proposed rule would implement provisions of Public Law 103-225 requiring firms to offer a variety of staple food items for sale or to have more than 50 percent of gross retail sales in staple foods. This rule also addresses the requirement in Public Law 103-225 to provide periodic notices to participating firms, clarifying certain eligibility criteria. (95-003)

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB90

185. FOOD STAMP PROGRAM: RETAILER APPLICATION PROCESSING

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2011 to 2032; PL 104-193

CFR Citation: 7 CFR 278.1

Legal Deadline: None

Abstract: This rule would increase from 30 to 60 days the initial application processing time frame for stores that apply for authorization. It would also allow FCS to request specific documentation to verify applicant firms' eligibility. Such information would include, but would not be limited to, business licenses, photographic identification cards, bills of sale, deeds, leases, sales contracts, certificates of incorporation, sales records, invoice records, and tax records. This documentation would be used to confirm self-reported information provided on the application form and to obtain third-party verification. This rule also includes two provisions dealing with disclosure of retailer tax information based on changes made by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). (95-008)

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC05

USDA—FNS

Proposed Rule Stage

186. DISCLOSURE OF FREE AND REDUCED PRICE ELIGIBILITY INFORMATION UNDER THE SCHOOL NUTRITION AND CHILD AND ADULT CARE FOOD PROGRAMS**Priority:** Other Significant**Legal Authority:** PL 103-448, sec 108**CFR Citation:** 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 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	07/00/99	
NPRM Comment	09/00/99	
Period End		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC21**187. FOOD STAMP PROGRAM: WELFARE REFORM AND REGULATORY REVIEW OF PROGRAM MANAGEMENT****Priority:** Other Significant. Major status under 5 USC 801 is 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 2032

CFR Citation: 7 CFR 271; 7 CFR 272; 7 CFR 273.15; 7 CFR 274; 7 CFR 275; 7 CFR 276; 7 CFR 281

Legal Deadline: None

Abstract: The Department of Agriculture is proposing substantial revisions to the Food Stamp Program regulations governing State agency administrative and management requirements. This action is being taken to incorporate certain provisions from the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform) and in response to the President's Regulatory Reform effort and as part of the Department's ongoing effort to expand State flexibility. This action will provide the State agencies with more flexibility in operating the Food Stamp Program by eliminating outdated or overly prescriptive requirements. This rule also proposes to implement provisions of the Government Performance and Results Act of 1993 (GPRA), which shifts the focus of Federal agencies from managing processes to achieving results. (95-023)

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
NPRM Comment	03/00/00	
Period End		
Final Action	09/00/00	
Final Action Effective	09/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC22**188. IMPROVING MANAGEMENT AND PROGRAM INTEGRITY IN THE CHILD AND ADULT CARE FOOD 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: 42 USC 1758; 42 USC 1766**CFR Citation:** 7 CFR 226**Legal Deadline:** None

Abstract: This rulemaking proposes to incorporate in the Child and Adult Care Food Program regulations several recommendations suggested by the Department's Office of Inspector General as a result of recently conducted audits. The audits revealed high levels of noncompliance by sponsors and family day care homes in several areas of Program operations.

The Department also proposes to incorporate in the regulations several recommendations from a State-Federal task force in the areas of (1) State approval of both new and renewing institutions; (2) State oversight of institutions; and (3) training and operational requirements for child care institutions, sponsors of family day care homes, outside-school-hours care centers, and family day care home providers.

As a result of the task force's recommendations, this rulemaking also proposes other changes to the CACFP regulations which are intended to streamline the operation of the program at the State and local levels, improve its integrity, and strengthen oversight control. (95-024)

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
NPRM Comment	01/00/00	
Period End		
Final Action	07/00/00	
Final Action Effective	09/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC24**189. 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

USDA—FNS

Proposed Rule Stage

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 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. P.L. 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. P.L. 103-448 also added a new Provision 3 for schools that serve all meals free 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	05/00/99	
NPRM Comment Period End	07/00/99	
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, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC25

190. PART 240, CASH IN LIEU OF DONATED FOODS AND PART 250, FOOD DISTRIBUTION REGULATIONS

Priority: Substantive, Nonsignificant

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: PL 103-448

CFR Citation: 7 CFR 240; 7 CFR 250

Legal Deadline: None

Abstract: This rule will incorporate provisions of the Healthy Meals for Healthy Americans Act of 1994 relative to schools participating in the National School Lunch Program. (96-010)

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC31

191. 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	10/00/99	
NPRM Comment Period End	11/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC37

192. FSP: PERSONAL RESPONSIBILITY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Priority: Economically 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: PL 104-193

CFR Citation: 7 CFR 271; 7 CFR 272; 7 CFR 273

Legal Deadline: Other, Statutory, August 22, 1996.

USDA—FNS

Proposed Rule Stage

Stat. implementation deadline of 8/22/96 for sec 813, 814, 820, 821, 837, and 911 of PL 104-193; stat. implementation deadline of 7/1/97 for sec 115, and 11/22/96 for sec 824 of PL 104-193.

Abstract: This rule will implement 13 provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. (96-019)

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC39

193. FSP: STATE FLEXIBILITY AND CERTIFICATION PROVISIONS OF PUBLIC LAW 104-193

Priority: Economically 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: PL 104-193; PL 104-208; 7 USC 2011 to 2032

CFR Citation: 7 CFR 272.3; 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.4; 7 CFR 273.9(c); 7 CFR 273.9(d); 7 CFR 273.10(a); 7 CFR 273.10(c) to 273.10(f); 7 CFR 273.11(a) to 273.11(c); 7 CFR 273.11(e); 7 CFR 273.11(j); 7 CFR 273.13; 7 CFR 273.14(b); 7 CFR 273.14(e)

Legal Deadline: Other, Statutory, August 22, 1996.

For provisions effective upon enactment, the statutory implementation date is August 22, 1996.

Abstract: This rule proposes to amend Food Stamp Program regulations to implement 14 provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and one provision of the Omnibus

Consolidated Appropriations Act of 1996. These provisions would increase State agency flexibility in processing applications for the Food Stamp Program and allow greater use of standard amounts for determining deductions and self-employment expenses. The provisions would also give State agencies options to issue partial allotments for households in treatment centers, count all of the income of an ineligible noncitizen in determining the benefits of the rest of the household, issue combined allotments to certain expedited service households, and certify elderly or disabled households for 24 months. Other changes would revise requirements for determining noncitizen eligibility and the eligibility and benefits of sponsored noncitizens, eliminate the exclusion of certain transitional housing payments and State and local energy assistance, exclude the earnings of students under 18, and require proration of benefits following any break in certification. (96-020)

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
NPRM Comment	12/00/99	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC40

194. FSP: NONDISCRETIONARY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Priority: Economically 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: PL 104-193, sec 803; PL 104-193, sec 804; PL 104-193, sec

805; PL 104-193, sec 809; PL 104-193, sec 810; PL 104-193, sec 838; PL 104-193, sec 109; PL 104-193, sec 826

CFR Citation: 7 CFR 271.2; 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.8; 7 CFR 273.9; 7 CFR 273.10; 7 CFR 276.2(e)

Legal Deadline: Other, Statutory.

Statutory Implementation Dates: PL 104-193, sec 809 - 1/1/97; PL 104-193, sec 803, 805 and 838 - 08/22/96; PL 104-193, sec 804 and 810 - 10/01/96.

Abstract: This proposed rule amends the Food Stamp Program regulations to implement eight provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. These provisions require no interpretation or discretion: 1) Freeze the minimum allotment at \$10; 2) change the way the maximum allotments are calculated to use 100% of the Thrifty Food Plan as opposed to 103%; 3) freeze the standard deduction at current level and eliminate the adjustment procedures; 4) cap the excess shelter expense deduction; 5) change the household composition definition so that children under 22 years of age and living with their parents cannot be a separate household; 6) increase the time frame from 5 to 7 days for expedited service; 7) set a time limit of not more than 90 days living in another person's house for considering a person homeless; and 8) set the fair market value of vehicles at \$4,600 through 9/30/96 and raise it to \$4,650 effective 10/1/96 and eliminate future adjustments. (96-021)

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC41

USDA—FNS

Proposed Rule Stage

195. ELECTRONIC BENEFIT TRANSFER (EBT) PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**Priority:** Other Significant**Legal Authority:** PL 104-193, sec 825**CFR Citation:** 7 CFR 274.3; 7 CFR 274.12**Legal Deadline:** Other, Statutory, October 1, 2002.

Statutory implementation date of EBT systems per section 825.

Abstract: On August 22, 1996, the President signed the Personal Responsibility and Work Opportunity Act of 1996 (Pub. L. 104-193). This rule proposes to implement the Electronic Benefit Transfer (EBT) provisions found in section 825 of this law which affect the Food Stamp Program. These provisions are meant to encourage implementation of EBT systems to replace food stamp coupons. (96-024)**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** State, Federal**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302
Phone: 703 305-2246**RIN:** 0584-AC44**196. FOOD STAMP PROGRAM: WORK PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** PL 104-193**CFR Citation:** 7 CFR 273.7; 7 CFR 273.22**Legal Deadline:** None**Abstract:** This proposed rule will implement revisions to the Food Stamp Program's work and employment and training requirements, as well as new provisions for a work supplementation

or support program and an employment initiative program. (96-025)

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
NPRM Comment Period End	02/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302-1594
Phone: 703 305-2246**RIN:** 0584-AC45**197. REGULATORY REFORM: PROVISIONS RELATING TO FIRMS PARTICIPATING IN THE FOOD STAMP 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:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 278; 7 CFR 279**Legal Deadline:** None**Abstract:** In response to the President's regulatory reform effort, the Food and Nutrition Service is proposing to revise or eliminate certain sections of parts 278 and 279 of the Food Stamp Program (FSP) regulations which govern the authorization and sanctioning of firms which participate in the FSP. The proposed changes which will be made to parts 278 and 279 are discretionary. (96-028)**Timetable:**

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

Fax: 703 305-2921

RIN: 0584-AC48**198. FOOD DISTRIBUTION PROGRAM: REGULATORY IMPLEMENTATION OF PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 (PL 104-193, 110 STAT 2105)****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-193**CFR Citation:** 7 CFR 250(Revision); 7 CFR 251(Revision)**Legal Deadline:** None**Abstract:** This rule proposes to amend provisions of the Food Distribution Program regulations and the Emergency Food Assistance Program regulations to implement the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, commonly known as Welfare Reform, while generally streamlining and providing greater clarity to these regulations. In accordance with the Welfare Reform legislation, the proposals contained in this rule would address various program changes required by the repeal of section 110 of the Hunger Prevention Act of 1988, which authorized the former Soup Kitchens/Food Banks Program (SK/FB) and the amendment of definitional terms regarding organizational eligibility in the Emergency Food Assistance Program (TEFAP), contained in the Emergency Food Assistance Act of 1983, accompanying the absorption of SK/FB into TEFAP. Changes to term definitions are also proposed in order to provide greater clarity to the regulations. As required by Welfare Reform, this rule also proposes changes in the required contents and frequency of submission of the TEFAP State plan of operation, an encouragement for States to create advisory boards comprised of public and private entities with an interest in the distribution of TEFAP commodities, broadening the definition of allowable usage of TEFAP administrative funds at the State level, and greater flexibility for States in meeting the TEFAP maintenance of effort requirement. In order to reduce the paperwork burden and afford the States greater flexibility, this rule also proposes changes in TEFAP recordkeeping, monitoring, and reporting requirements. (96-029)

USDA—FNS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC49**199. FOOD DISTRIBUTIONS PROGRAMS: COMMODITY ACCEPTABILITY REPORT****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** PL 100-237**CFR Citation:** 7 CFR 250.13(k)**Legal Deadline:** None

Abstract: Food Distribution Programs-Reduction of the Paperwork Burden Associated with this Requirement for State and Local Agencies. This rule proposes to reduce the paperwork burden for State and local agencies administering Food Distribution Programs by reducing the sample size needed for collecting commodity acceptability report information for the National School Lunch Program, Child and Adult Care Food Program, Commodity Supplemental Food Program, and the Food Distribution Program on Indian Reservations. A 60-day comment period will be provided. (97-004)

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

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, 3101 Park Center Drive, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC56**200. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS: DISQUALIFICATION PENALTIES FOR INTENTIONAL PROGRAM VIOLATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 253**Legal Deadline:** None

Abstract: This rule proposes the establishment of disqualification penalties under the Food Distribution Program for Indian Reservations (FDPIR) for intentional program violations (IPV). It will include provisions that define IPV, establish disqualification penalties for initial and subsequent violations, and address the procedures and requirements for disqualification hearings and notices. The proposed rule will also address the establishment and handling of claims against households. This proposed rulemaking is in response to a recent audit recommendation by USDA's Office of Inspector General to adopt disqualification penalty procedures for IPVs. FDPIR is an alternative to the Food Stamp Program for eligible households living on or near Indian reservations. Food Stamp Program regulations at 7 CFR 273.16 establish disqualification penalties for IPVs and require State agencies to take appropriate action on alleged cases of IPVs. In proposing similar requirements under FDPIR, we expect to deter program abuse, thereby improving program integrity. (97-012)

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Tribal

Agency Contact: Sharon Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC65**201. COMMODITY SUPPLEMENTAL FOOD PROGRAM: PROGRAM STREAMLINING, FLEXIBILITY, AND MISCELLANEOUS AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-624; PL 104-127**CFR Citation:** 7 CFR 247**Legal Deadline:** None

Abstract: The rule will affect program streamlining by proposing to: 1) Make the State plan and Federal/State agreement permanent, with amendments as needed; 2) Reduce the on-site review requirement of local agencies by States; 3) Change the caseload cycle to the period from January 1 to December 31; 4) Amend the determination of base caseload to consider a State's participation in the previous fiscal year or in the final quarter of the previous fiscal year, but not in the month of September; and 5) Consolidate a number of regulatory sections for the purpose of clarification and removal of redundancy.

The rule will propose to allow States to discontinue participants for physical abuse or the threat of physical abuse of program staff, for a period not to exceed three months.

The rule will incorporate legislative provisions that have been implemented through program policy including a revision of the percentage of appropriated funds and funds carried over from the previous year, for program administration, to 20 percent; and a requirement that State and local agencies provide to participants information on other programs providing assistance to low-income households. (98-001)

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	
Final Action	09/00/99	

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, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC66

USDA—FNS

Proposed Rule Stage

202. 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 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	12/00/99	
NPRM Comment Period End	01/00/00	
Final Action	03/00/00	

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, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246**RIN:** 0584-AC68**203. • MAXIMUM ALLOTMENTS FOR 48 STATES & DC & INCOME ELIGIBILITY STANDARDS FOR 48 STATES, DC, AK, GU AND VI****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** CFR 000**Legal Deadline:** NPRM, Statutory, October 1, 1999.

Allotments are updated and required to be implemented every October 1.

Abstract: This notice updates the maximum Food Stamp allotments for the 48 States and DC and the income eligibility guidelines for the 48 States, DC, Alaska, Hawaii, Guam, and the Virgin Islands for FY 1999. (98-004)**Timetable:**

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Federal**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22303
Phone: 703 305-2246**RIN:** 0584-AC69**204. • FSP: MAXIMUM ALLOTMENTS FOR ALASKA, HAWAII, GUAM, AND THE VIRGIN ISLANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** CFR 000**Legal Deadline:** NPRM, Statutory, October 1, 1999.

Allotments are required to be updated and implemented every October 1.

Abstract: This notice updates the Food Stamp Program maximum allotments for Alaska, Hawaii, Guam, and the Virgin Islands for FY 1999. (98-005)**Timetable:**

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Federal**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22303
Phone: 703 305-2246**RIN:** 0584-AC70**205. • FSP: EBT SYSTEM SAS70 AUDIT REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 274.12**Legal Deadline:** None**Abstract:** This rule will add a requirement that each State agency ensure that their EBT system is audited annually in accordance with the: 1) AICPA Statement of Auditing Standards 70 (SAS 70); and 2) Audit Guidelines for Service Organizations Providing EBT Services for Government Programs produced by the President's Council on Integrity and Efficiency (PCIE) in consultation with interested parties in State agencies and National Associations concerned with EBT systems. (98-006)**Timetable:**

Action	Date	FR Cite
NPRM	02/23/99	64 FR 8733
NPRM Comment Period End	05/24/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921**RIN:** 0584-AC71**206. • 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	09/00/99	
NPRM Comment Period End	11/00/99	
Final Action	07/00/00	
Final Action Effective	10/00/00	

USDA—FNS

Proposed Rule Stage

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State,
Local**Agency Contact:** Sheri Ackerman,
Agency Regulatory Officer, Department
of Agriculture, Food and NutritionService, 3101 Park Center Drive, Room
308, Alexandria, VA 22303
Phone: 703 305-2246**RIN:** 0584-AC75**DEPARTMENT OF AGRICULTURE (USDA)****Final Rule Stage****Food and Nutrition Service (FNS)****207. CHILD AND ADULT CARE FOOD PROGRAM: AUTHORITY TO COLLECT OVERCLAIMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1766**CFR Citation:** 7 CFR 226**Legal Deadline:** None**Abstract:** Establishes the Department's authority to collect overclaims where participating institutions fail to comply with regulatory recordkeeping requirements. (96-009)**Timetable:**

Action	Date	FR Cite
NPRM	12/05/95	60 FR 62227
NPRM Comment Period End	02/05/96	
Final Action	06/00/99	
Final Action Effective	07/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Sheri Ackerman,
Agency Regulatory Officer, Department
of Agriculture, Food and Nutrition
Service, 3101 Park Center Drive, Room
308, Alexandria, VA 22302
Phone: 703 305-2246**RIN:** 0584-AB19

the Food Stamp Program's Quality Control System, which will reduce the workload on State agencies and improve the efficiency of the quality control system. The proposed changes will: (1) Permit State agencies to reduce their sample sizes; (2) clarify the minimum size of the Federal subsample; (3) clarify State sampling procedures; (4) change the formulas for calculating Federal subsample sizes; (5) clarify the process of conducting a quality control review of negative subsystem cases and add suspended cases, those cases that are certified for the Program but do not receive benefits, to the sample universe of cases that are reviewed under the negative subsystem; (6) change the error dollar tolerance level; (7) modify the requirements regarding a home visit in active quality control reviews; and (8) adjust the case completion standard. (92-006)

Timetable:

Action	Date	FR Cite
NPRM	09/10/96	61 FR 47680
NPRM Comment Period End	11/12/96	
Final Action	07/00/99	
Final Action Effective	10/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State,
Federal**Additional Information:** RIN 0584-AB07 has been withdrawn, and the actions in that proposed rule have been included in this action.**Agency Contact:** Sheri Ackerman,
Agency Regulatory Officer, Department
of Agriculture, Food and Nutrition
Service, 3101 Park Center Drive, Room
308, Alexandria, VA 22302
Phone: 703 305-2246**RIN:** 0584-AB38**208. FOOD STAMP PROGRAM: 1995 QUALITY CONTROL TECHNICAL AMENDMENTS****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 2011 to 2032**CFR Citation:** 7 CFR 271.2; 7 CFR 275.3; 7 CFR 275.10; 7 CFR 275.11; 7 CFR 275.12; 7 CFR 275.13; 7 CFR 275.23**Legal Deadline:** None**Abstract:** The Food and Nutrition Service is making technical changes to**209. 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 proposed 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 proposed 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	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses,
Governmental Jurisdictions

USDA—FNS

Final Rule Stage

Government Levels Affected: State, Local, Tribal

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

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB52

210. FOOD STAMP PROGRAM: PAYMENT OF CERTAIN ADMINISTRATIVE COSTS OF STATE AGENCIES

Priority: Other Significant

Legal Authority: 7 USC 2011 to 2032; PL 103-66, sec 13961

CFR Citation: 7 CFR 277

Legal Deadline: Other, Statutory, April 1, 1994.

The Act requires funding rate reduction effective 04/01/94.

Abstract: State agencies are reimbursed by FNS at standard or enhanced Federal reimbursement level for all allowable costs incurred in the State's operation of the Food Stamp Program. This proposed rule would reduce the Federal reimbursement rate for State agencies for fraud control, system development, and immigration status verification to the standard 50 percent rate. It would also limit the time period during which State agencies may file a claim for retroactive funding, and allows the cost of certifying aid to families with dependent children to be charged to the Food Stamp Program for purposes of Federal reimbursement. (93-010)

Timetable:

Action	Date	FR Cite
NPRM	11/22/94	59 FR 60079
NPRM Comment Period End	01/23/95	
Final Action	09/00/99	
Final Action Effective	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition

Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB66

211. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS: DEFINITION OF INDIAN TRIBAL HOUSEHOLD

Priority: Other Significant

Legal Authority: PL 88-525; PL 97-98, sec 1338; PL 95-113

CFR Citation: 7 CFR 253; 7 CFR 254

Legal Deadline: None

Abstract: This final rule will amend part 253 to permit households containing a Native American living in "near areas" to participate in the Food Distribution Program on Indian Reservations (FDPIR) regardless of the Native American's tribal affiliation or age. It will also amend part 254 to permit households containing a Native American to participate in FDPIR in Oklahoma regardless of the Native American's age. (82-217)

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39158
Interim Final Rule	01/11/94	59 FR 1447
Final Action	08/00/99	
Final Action Effective	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB67

212. AMENDMENTS TO THE INFANT MEAL PATTERN

Priority: Other Significant

Legal Authority: 42 USC 1751 to 1760; 42 USC 1762a; 42 USC 1765; 42 USC 1766; 42 USC 1773; 42 USC 1779

CFR Citation: 7 CFR 210; 7 CFR 220; 7 CFR 226

Legal Deadline: None

Abstract: This rule amends the regulations for the National School Lunch Program (7 CFR 210), School

Breakfast Program (7 CFR 220) and the Child and Adult Care Food Program (7 CFR 226) to (1) eliminate the option of serving whole cow's milk to infants between the ages of 8 months and 1 year instead of infant formula or breast milk and (2) permit reimbursement for meals containing only breast milk. The first provision responds to scientific evidence indicating that whole cow's milk is nutritionally deficient compared to breast milk and formula and is not recommended for children less than 1 year old. The second provision is intended to remove a potential disincentive to breast feeding. A related provision would permit providers to give infants that are less than 4 months old an amount of breast milk less than the minimum requirement when the infants consistently do not want the full minimum amount. (95-005)

Timetable:

Action	Date	FR Cite
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB81

213. FOOD STAMP PROGRAM: FOOD STAMP RECIPIENT CLAIM ESTABLISHMENT AND COLLECTION STANDARDS

Priority: Economically 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 2011 to 2032

CFR Citation: 7 CFR 272; 7 CFR 273

Legal Deadline: None

Abstract: The Food and Nutrition Service is revising Food Stamp Program regulations which cover the establishment and collection of recipient claims. This action is the result of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)

USDA—FNS

Final Rule Stage

and is consistent with the President's regulatory reform effort. In addition, this rule revises existing discretionary areas to improve claim establishment and promote effective management. The inability of State agencies to establish and collect claims has continuously been cited as a deficiency by the Department's Office of Inspector General. The last significant revision to these regulations was in 1983. Subsequent activities, such as technological advances and general debt management regulations, have rendered many portions of the current rule obsolete. In addition, the current rule has been found to place unnecessary burdens on State agencies. State agencies are responsible for establishing and collecting recipient claims.

Timetable:

Action	Date	FR Cite
NPRM	05/28/98	63 FR 29303
NPRM Comment Period End	08/26/98	
Final Action	12/00/99	
Final Action Effective	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AB88

214. SUMMER FOOD SERVICE PROGRAM: PROGRAM MEAL SERVICE DURING THE SCHOOL YEAR

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-448; 42 USC 1769a

CFR Citation: 7 CFR 225

Legal Deadline: None

Abstract: Implements provision of PL 103-448 which permits Summer Food Service Program (SFSP) meal service to be provided at non-school sites to children who are not in school for a period during the months of October through April due to a natural disaster, building repair, court order, or similar cause. Rule also simplifies the SFSP sponsor application and State

monitoring requirements in order to eliminate unnecessary paperwork and reduce administrative burden for sponsors and State agencies. (95-011)

Timetable:

Action	Date	FR Cite
NPRM	10/13/98	63 FR 54617
NPRM Comment Period End	12/14/98	
Final Action	06/00/99	
Final Action Effective	08/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC06

215. 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

Legal Authority: 42 USC 1758; 42 USC 1766

CFR Citation: 7 CFR 226

Legal Deadline: Final, Statutory, January 1, 1997.

Only the two provisions related to administrative funds are mandated by Pub. L. 104-193 to be implemented into regulations by 01/01/97.

Abstract: This interim rule incorporates changes to the Child and Adult Care Food Program (CACFP) as required by the Child Nutrition and WIC Reauthorization Act of 1989 and the Healthy Meals for Healthy Americans Act of 1994 by: (1) Providing administrative funds to family day care home sponsors for expansion into low-income or rural areas; (2) granting federally funded income-eligible Head Start participants automatic eligibility for free CACFP meals without further application or eligibility determination; and (3) allowing the use of administrative funds to assist unlicensed day care homes in becoming licensed. These revisions are intended to encourage program participation in low-income

and rural areas and to reduce the level of administrative and paperwork burden for Federal, State, and local program administrators and for program participants. (90-508)

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/98	63 FR 9721
Final Action	10/00/99	
Final Action Effective	11/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC20

216. IMPLEMENTATION OF LEGISLATIVE REFORMS IN THE SUMMER FOOD SERVICE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1758; 42 USC 1761; 42 USC 1762a

CFR Citation: 7 CFR 225

Legal Deadline: None

Abstract: Recent legislative actions have made a number of changes to conditions affecting reimbursement, participation of certain service organizations, and State administration under the Summer Food Service Program (SFSP). This interim rule implements several nondiscretionary amendments to SFSP that are prescribed by the Healthy Meals for Healthy Americans Act of 1994 (Pub. L. 103-448) and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193). This rule also formalizes categorical eligibility for households participating in the Food Distribution Program on Indian reservations, and makes a number of technical corrections to part 225. (95-025)

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department

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of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC23

217. WIC: BLOODWORK 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: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: This rule would propose revisions to the bloodwork requirements for WIC applicants. Currently, to be certified as eligible for the program, applicants must be determined at nutritional risk. In determining nutritional risk, at a minimum height or length and weight must be measured, and a hematological test for anemia must be performed. This rule would eliminate the requirement for a hematological test for anemia as part of the certification process if another risk factor is present that would qualify the applicant as nutritionally at risk. Hematological test data for anemia would still be required for counseling and food package purposes. (96-008)

Timetable:

Action	Date	FR Cite
NPRM	11/19/98	63 FR 64211
NPRM Comment Period End	01/19/99	
Final Action	09/00/99	
Final Action Effective	10/00/99	

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, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC30

218. NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM: ADDITIONAL MENU PLANNING ALTERNATIVES

Priority: Other Significant

Legal Authority: PL 104-149

CFR Citation: 7 CFR 210; 7 CFR 220

Legal Deadline: None

Abstract: Public Law 104-149, enacted on May 29, 1996, establishes additional menu planning alternatives for the school meals programs and requires the secretary to establish guidelines for the use of these additional alternatives. One alternative specified in the statute was the meal pattern in effect for the 1994-95 school year; the other was "any reasonable approach." This regulation would reestablish the meal pattern as a menu planning alternative and provide guidelines for school food authorities to develop a different approach to menu planning. (96-017)

Timetable:

Action	Date	FR Cite
NPRM	05/04/98	63 FR 24686
NPRM Comment Period End	11/02/98	
Final Action	09/00/99	
Final Action Effective	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC38

219. FOOD STAMP PROGRAM: RETAILER INTEGRITY, FRAUD REDUCTION AND PENALTIES

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: PL 104-193; PL 104-127

CFR Citation: 7 CFR 271; 7 CFR 278; 7 CFR 279

Legal Deadline: None

Abstract: This rulemaking will implement the three-tiered legislative initiative for combating retailer fraud in the Food Stamp Program: (1) Pre-authorization screening--tightens applicant retailer verification requirements to ensure only legitimate stores are authorized; (2) post-authorization controls--allows FNS to move quickly to immediately suspend stores that are caught trafficking; access more information from more sources about business integrity; and better track stores using up-to-date technology; (3) stiffer penalties--will impose tougher penalties on retailers found violating the program. (96-026)

Timetable:

Action	Date	FR Cite
NPRM	05/06/98	63 FR 24985
NPRM Comment Period End	07/06/98	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC46

220. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): DISQUALIFICATION OF WIC VENDORS WHO ARE DISQUALIFIED FROM THE FOOD STAMP PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: This rule would establish criteria for the disqualification of WIC vendors who are disqualified from the Food Stamp Program, as required by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. As mandated in Public Law 104-193, such disqualifications are for the same period of time as the Food Stamp Program disqualification and are not subject to judicial or administrative review. This rule would also establish mandatory sanctions for the most

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serious WIC program violations. (96-030)

Timetable:

Action	Date	FR Cite
NPRM	04/20/98	63 FR 19415
NPRM Comment Period End	07/20/98	
Final Action	04/00/99	
Final Action Effective	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC50

221. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WIC: IMPLEMENTATION OF WIC-RELATED PROVISIONS OF PL 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 would implement the WIC-related provisions of Public Law 104-193, the Personal Responsibility and Work Opportunity Act of 1996. These provisions include: Sharing of WIC information with the Immigration and Naturalization Service; 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	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC51

222. IMPLEMENTATION OF LEGISLATIVE CHANGES IN THE CHILD AND ADULT CARE FOOD PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-193

CFR Citation: 7 CFR 226

Legal Deadline: None

Abstract: This interim rulemaking will implement non-discretionary changes to the Child and Adult Care Food Program regulations mandated by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This rule will not implement changes to section 708(e) of Public Law 104-193, targeting reimbursement for meals served in family day care homes, which were addressed in separate rulemakings published on January 7, 1997 (62 FR 889) and February 24, 1998 (63 FR 9087). (96-032)

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/99	
Final Action	01/00/00	
Final Action Effective	02/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive Room 308, Alexandria, VA 22302
Phone: 703 305-2246

RIN: 0584-AC52

223. FOOD STAMP PROGRAM: ELECTRONIC BENEFITS TRANSFER (EBT) BENEFIT ADJUSTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2011 to 2032

CFR Citation: 7 CFR 273; 7 CFR 274

Legal Deadline: None

Abstract: This proposed rule will allow States and/or their EBT processors to make adjustments to an EBT household's food stamp account under certain circumstances. Current regulations do not allow adjustments to a household's EBT account balance once the benefits have been made available to the household. Occasionally, however, system errors and other malfunctions result in out-of-balance settlement conditions which must be adjusted manually. This proposed rule describes the conditions under which an adjustment is allowed, and the accompanying notice requirements. The rule also makes changes to the representation formula. (97-009)

Timetable:

Action	Date	FR Cite
NPRM	05/19/98	63 FR 27511
NPRM Comment Period End	07/20/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC61

224. FOOD STAMP PROVISIONS OF THE BALANCED BUDGET ACT OF 1997

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 105-33, sec 1001; PL 105-33, sec 1002; PL 105-33, sec 1005

CFR Citation: 7 CFR 272.1(g); 7 CFR 273.7(c); 7 CFR 273.7(d); 7 CFR 273.24

Legal Deadline: Final, Statutory, August 5, 1998.

PL 105-33, sec 1005 requires publication of a rule implementing Title I provisions of that Act no later than 1 yr. after date of enactment. PL 105-33 was enacted 8/5/97.

Abstract: This rule will implement two food stamp provisions of the Balanced Budget Act of 1997. The first provision

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provides State agencies the authority to exempt from the food stamp time-limit at section 6(o)(2) of the Food Stamp Act up food stamp time-limit up to 15 percent of the State's caseload that is subject to the requirement. The second provision provides additional funding for administration of the Food Stamp Employment and Training (E&T) Programs. These two provisions enhance State flexibility in exempting portions of a State agency's caseload from the food stamp time limit and increase significantly the funding available to create work opportunities for recipients that are subject to the time limit. (97-011)

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC63

225. ● AFTER SCHOOL SNACKS UNDER THE NSLP AND CACFP

Priority: Other Significant

Legal Authority: PL 105-336

CFR Citation: 7 CFR 210; 7 CFR 226

Legal Deadline: None

Abstract: This rule will amend the Child and Adult Care Food Program regulations to allow reimbursement for snacks to "at-risk" children up to age 18 in after-school care programs. To qualify, the after-school programs must be organized primarily to provide care for children and have an educational or enrichment purpose. Additionally, snacks must be served free to all children enrolled in after-school care programs located in low-income areas in which at least 50 percent of the children are eligible for free or reduced price school meals. Thus, individual free and reduced price eligibility determinations will not be required for these programs. Finally, outside-school-hours care programs will be permitted to participate, if they meet health and

safety standards where no State or local licensing or approval is required. The rule will also authorize reimbursement for snacks under the NSLP to certain after school care programs operated by schools. (98-007)

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC72

226. ● WIC: LOCAL AGENCY EXPENDITURE REPORTS

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 direct final rule amends the regulations for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to give State agencies greater flexibility in the way they collect nutrition services and administration (NSA) expenditure data from local agencies. State agencies will be allowed to permit local agencies to submit NSA expenditure reports up to quarterly, rather than monthly as is currently required. (98-009)

Timetable:

Action	Date	FR Cite
Final Action	09/00/99	
Final Action Effective	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department

of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22303
Phone: 703 305-2246

RIN: 0584-AC74

227. ● WIC: CERTIFICATION INTEGRITY

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: This interim 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 more than one WIC site. (98-011)

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/99	
Final Action	To Be Determined	

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, 3101 Park Center Drive, Room 308, Alexandria, VA 22303
Phone: 703 305-2246

RIN: 0584-AC76

228. ● WIC: WIC FUNDING PROVISIONS OF PUBLIC LAW 105-336

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: The William F. Goodling Child Nutrition Reauthorization Act of 1998 sets forth new funding requirements and revises existing funding provisions for WIC State agencies. The changes incorporated in this final rule are mandated by

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Congress and require little or no agency discretion. The major funding provisions set forth in WIC's reauthorization included in this final regulation are expanded backspend authority for both food and nutrition services and administration (NSA) funds, the elimination of food spend forward, the expansion of NSA spend forward authority, new requirements for conversion of food funds to NSA funds, a decrease in the NSA spending

standard from 15 to 10 percent, the authority to use food funds to purchase breast pumps, and expands the use of vendor and participant collections in the year following collection. (98-012)

Timetable:

Action	Date	FR Cite
Final Action	09/00/99	
Final Action Effective	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22303
Phone: 703 305-2246

RIN: 0584-AC77

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Food and Nutrition Service (FNS)

229. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): FOOD COST CONTAINMENT REQUIREMENTS

Priority: Other Significant

CFR Citation: 7 CFR 246

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/15/90	55 FR 9709
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: 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
Phone: 703 305-2246

RIN: 0584-AB11

230. PERMANENT AGREEMENTS/DIRECT CERTIFICATION IN NATIONAL SCHOOL LUNCH, SCHOOL BREAKFAST, AND SPECIAL MILK 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.

CFR Citation: 7 CFR 210; 7 CFR 215; 7 CFR 220; 7 CFR 245

Timetable:

Action	Date	FR Cite
NPRM	05/28/91	56 FR 24033
NPRM Comment Period End	07/29/91	
Final Action	To Be Determined	
Final Action Effective	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AB35

231. 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.

CFR Citation: 7 CFR 272; 7 CFR 273

Timetable:

Action	Date	FR Cite
NPRM	12/17/96	61 FR 66233
NPRM Comment Period End	02/18/97	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman

Phone: 703 305-2246

RIN: 0584-AB57

232. SCHOOL NUTRITION PROGRAMS: TECHNICAL AND NONDISCRETIONARY AMENDMENTS

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.

CFR Citation: 7 CFR 210; 7 CFR 215; 7 CFR 235; 7 CFR 245

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	
Final Action Effective	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AC01

233. AMENDMENT TO REMOVE FORMULATED GRAIN—FRUIT PRODUCT SECTION

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 220

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

USDA—FNS

Long-Term Actions

Agency Contact: Sheri Ackerman
Phone: 703 305-2246
RIN: 0584-AC09

234. CONSOLIDATION OF NATIONAL SCHOOL LUNCH PROGRAM, SCHOOL BREAKFAST PROGRAM AND SUMMER FOOD SERVICE PROGRAM INTO A COMPREHENSIVE SCHOOL MEAL 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.

CFR Citation: 7 CFR 210; 7 CFR 220; 7 CFR 225

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	
NPRM Comment Period End	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AC10

235. FOOD STAMP PROGRAM REGULATORY REVIEW: CERTIFICATION OF ELIGIBLE HOUSEHOLDS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will eliminate existing text in the CFR.

CFR Citation: 7 CFR 273

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AC28

236. WIC: FOOD PACKAGE ADJUSTMENTS AND CORRECTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 246

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sheri Ackerman
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC29

237. WIC: FOOD AND NUTRITION SERVICES AND ADMINISTRATION (NSA) FUNDING FORMULA RULE

Priority: Other Significant. Major under 5 USC 801.

CFR Citation: 7 CFR 246

Timetable:

Action	Date	FR Cite
NPRM	10/13/98	63 FR 54629
NPRM Comment Period End	01/11/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sharon Ackerman
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC64

238. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): SOY-BASE BEVERAGES (SOYMILK) IN WIC

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.

CFR Citation: 7 CFR 246

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AC67

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Food and Nutrition Service (FNS)

239. FOOD DISTRIBUTION PROGRAMS—IMPLEMENTATION OF 1990 FARM BILL

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

CFR Citation: 7 CFR 250; 7 CFR 251

Completed:

Reason	Date	FR Cite
Withdrawn - Included in RIN 0584-AC49	02/02/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AB28

240. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS—OKLAHOMA WAIVER AUTHORITY

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 253; 7 CFR 254

Completed:

Reason	Date	FR Cite
Final Action - Direct Final Rule	01/08/99	64 FR 1097
Final Action Effective	03/09/99	

Regulatory Flexibility Analysis

Required: No

USDA—FNS

Completed Actions

Government Levels Affected: State, Tribal

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AB56

241. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): IMPLEMENTATION OF WIC MANDATES OF THE HEALTHY MEALS FOR HEALTHY AMERICANS ACT OF 1994

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.

CFR Citation: 7 CFR 246

Completed:

Reason	Date	FR Cite
Final Action	11/18/98	63 FR 63969
Final Action Effective	01/19/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sheri Ackerman
Phone: 703 305-2246

RIN: 0584-AC02

242. • NSLP: AMDS. TO REQUIREMENTS FOR MEAL SUPPLEMENTS SERVED IN AFTER SCHOOL CARE PROGRAMS

Priority: Other Significant

Legal Authority: PL 105-336

CFR Citation: 7 CFR 210

Legal Deadline: None

Abstract: This rule will amend the National School Lunch Program regulations to allow reimbursement for snacks to children up to age 18 in after-school care programs. To qualify, the after-school program must be organized primarily to provide care for children and have an educational or enrichment purpose. Additionally, snacks must be

served free to all children enrolled in after-school 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 school meals. (98-008)

Timetable:

Action	Date	FR Cite
Withdrawn - Included in RIN 0584-AC72	02/22/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Room 308, Alexandria, VA 22302
Phone: 703 305-2246
Fax: 703 305-2921

RIN: 0584-AC73

BILLING CODE 3410-30-F

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Food Safety and Inspection Service (FSIS)

243. ELIMINATION OF ACCREDITED LABORATORY PROGRAM FOR FOOD CHEMISTRY AND RESIDUE CHEMISTRY

Priority: Substantive, Nonsignificant

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

Legal Authority: 21 USC 601; 21 USC 451

CFR Citation: 9 CFR 318.21; 9 CFR 381.153

Legal Deadline: None

Abstract: FSIS is proposing to eliminate its Accredited Laboratory Program (ALP). The ALP was established in 1987 to enable meat and poultry establishments to obtain timely analytic results for product suspected of noncompliance with regulatory requirements (9 CFR 318.21 and 381.153). In such "hold-and-test" situations, plants can have samples analyzed by laboratories accredited by FSIS for certain residue chemistry analyses (e.g., chlorinated hydrocarbons) and/or four food

chemistry analyses (protein, moisture, fat, and salt content). These analyses by accredited laboratories are paid for by the meat or poultry plant, whereas samples analyzed by FSIS laboratories are at Agency expense. Despite this, accredited laboratories appeal to industry because there are only three FSIS laboratories and they carry a heavy analytic burden. Product held for testing is highly perishable, and obtaining rapid test results is frequently a high priority for plants. FSIS believes, however, that the ALP is no longer the best way to provide this service to industry and the public and that its functions would be better performed by independent third-party accreditation authorities. The implementation of HACCP systems in all FSIS-inspected plants is expected to preclude many "hold-and-test" situations and thereby reduce the primary need for the ALP. Plants needing to obtain accredited laboratory results for whatever reasons can consult an independent, third party accreditation service to determine if a specific laboratory meets appropriate standards.

Such standards are increasingly being harmonized internationally as a result of widespread adoption of the ISO 9000 Series of Standards for quality evaluation of industry performance (the ISO 9000 Standard for analytic laboratories is contained in Guide 25). The European Community, for example, has recently required that quality systems of many suppliers of products related to health, safety, and the environment be formally registered by a third party according to the ISO 9000 Standards. Moreover, such accreditation can be performed by third parties at a lower cost than the FSIS ALP, which charges each laboratory \$2500 per year. Eliminating the ALP would not cause any additional expense or burden for industry, and it would place the responsibility on industry to obtain credible sample results for whatever purposes. FSIS will request comment on this proposed action.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/99	

USDA—FSIS

Prerule Stage

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, Office of Policy, Program

Development and Evaluation, Washington, DC 20250-3700
Phone: 202 720-5627

RIN: 0583-AC48

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Food Safety and Inspection Service (FSIS)

244. 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 325; 9 CFR 381; 9 CFR 317; 9 CFR 308

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	10/00/99	

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 20250-3700
Phone: 202 720-5627

RIN: 0583-AC05

245. 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	10/00/99	

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: 202 720-5627

RIN: 0583-AC07

246. PERFORMANCE STANDARD FOR THE CHILLING OF 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

CFR Citation: 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to amend the regulations in 9 CFR 381.66 governing the chilling of poultry by replacing the specific time/temperature requirements for chilling poultry of various sizes with a performance standard based on the capability of the chilling process to extend the lag-phase of bacterial growth on the raw product. Poultry that has been slaughtered and eviscerated would have to be processed by a method that would ensure that bacterial multiplication on the poultry

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Proposed Rule Stage

is minimized from the time of evisceration until further processing by cooking or freezing or until shipment from the establishment. The proposal would remove the overly prescriptive features of the current poultry chilling regulations and make these regulations more consistent with the HACCP regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

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: 202 205-5627

RIN: 0583-AC21

247. ELIMINATION OF REQUIREMENTS FOR PARTIAL QUALITY CONTROL PROGRAMS

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 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None

Abstract: This proposed rule would amend the meat and poultry inspection regulations by removing most requirements pertaining to partial quality control (PQC) programs. A PQC program controls a single product, operation, or part of an operation in a meat or poultry establishment. The proposal would remove the design requirements affecting most PQC programs that establishments have and most requirements for establishments to have PQC programs for certain products or processes. The proposal would also remove from the thermal processing regulations the requirements for FSIS prior approval, or approval before use, of systems and devices not specified in the regulations and all requirements concerning PQC programs. The proposal would expand the alternatives available to establishments under the

thermal processing regulations for ensuring the safety of their products. However, the requirements for establishments to have quality control programs to control food irradiation processing and certain slaughtering inspection systems for poultry and the requirements concerning the design and content of those programs would be unaffected by this rulemaking. This proposal is intended to allow establishments under inspection additional flexibility, consistent with the Pathogen Reduction/Hazard Analysis and Critical Control Points (HACCP) regulations, to adopt new technologies and methods that will improve food safety and other consumer protections.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250-3700
Phone: 202 720-5627

RIN: 0583-AC35

248. ANTE-MORTEM AND POST-MORTEM INSPECTION OF LIVESTOCK AND 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 601 to 695 et seq; 7 USC 138 et seq; 21 USC 450 et seq; 7 USC 2.18 to 2.53 et seq; 21 USC 451 to 470 et seq

CFR Citation: 9 CFR 309; 9 CFR 310; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to reform the regulations governing ante-mortem

and post-mortem inspection of livestock and poultry. A number of the current regulations are no longer appropriate for the conditions under which meat and poultry products are produced and distributed today (e.g., splitting of sterna, prohibition of inflating carcasses). Others are duplicative regulations (e.g., those dealing with bruises and contamination) applying separately to meat and to poultry that could be combined into single regulations applying to both meat and poultry. Most emphasize the procedures for achieving regulatory objectives rather than the objectives themselves. This proposal would remove these prescriptive, detailed, or obsolete regulations or convert them to performance standards that are consistent with FSIS requirements for establishment-operated hazard analysis and critical control points (HACCP) systems and with the Agency's food safety regulatory strategy.

Under the proposal, the current ante-mortem requirements, listing objectionable diseases or conditions and corresponding actions to be taken, would be replaced by performance standards intended to ensure that only "normal," healthy animals that do not pose an evident hazard to public health are permitted to enter a slaughtering establishment. "Normal" animals would include those, for example, that are not running a temperature or that do not exhibit lesions of disease or behaviors characteristic of central nervous system disorders. Similarly, the post-mortem regulations, with their lists of conditions and detailed, command-and-control procedures, would be streamlined. The prescriptive provisions would be replaced by performance standards relating to food safety (prevention of economic adulteration).

This proposal would also recodify the ante-mortem and post-mortem inspection regulations for livestock and poultry. To the extent possible, consistent with Federal Meat Inspection Act and the Poultry Products Inspection Act, regulations concerning livestock and meat carcasses and parts, and those concerning poultry carcasses and parts would be designated to the same parts and sections of the Code of Federal Regulations. These changes would be part of the ongoing Agency effort to make the regulations more streamlined and user-friendly.

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This proposal would focus on the performance standards that establishments should meet through operation of their HACCP systems for slaughtering and dressing operations. It would remove impediments to the development and operation of HACCP plans by making the current regulations compatible with the HACCP approach to food safety.

Besides the proposed action, FSIS considered the alternative of no rulemaking and the alternative of eliminating all regulations on livestock, poultry, and the carcasses and parts of livestock and poultry, affected by specific diseases and conditions. The first alternative would leave in place numerous detailed prescriptions and procedural requirements inconsistent with, or duplicative of, HACCP systems. The second would risk exposing the public to products that may be unwholesome or otherwise adulterated.

The Agency believes the alternative represented by this proposal—converting to performance standards the ante-mortem and post-mortem inspection regulations—would offer the best prospect for the efficient and effective implementation of HACCP. It would also maximize the flexibility establishments have to adopt technological innovations that would increase the assurance of food safety.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 720-5627

RIN: 0583-AC43

249. REQUIREMENTS FOR DISPOSITION AND DISPOSAL OF INSPECTED RAW MEAT AND POULTRY PRODUCTS

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 eliminate existing text in the CFR.

Legal Authority: 7 USC 450; 21 USC 451 to 470 et seq; 21 USC 601 to 695 et seq; 7 USC 1901 to 1906

CFR Citation: 9 CFR 311; 9 CFR 314; 9 CFR 320; 9 CFR 325; 9 CFR 381; 9 CFR 428; 9 CFR 455

Legal Deadline: None

Abstract: FSIS is proposing to reform the regulations governing the disposition of inspected raw meat and poultry products and the disposal of such products that are condemned or otherwise inedible. A number of the current regulations are no longer appropriate for the conditions under which meat and poultry products are produced and distributed today. Others are duplicative regulations applying separately to meat and to poultry that should be combined into single regulations applying to both meat and poultry. Most emphasize the procedures for achieving regulatory objectives rather than the objectives themselves. The proposal would remove these prescriptive, detailed, or obsolete regulations or convert them to performance standards that are consistent with FSIS requirements for establishment-operated hazard analysis and critical control points (HACCP) systems and with the Agency's food safety regulatory strategy.

Besides the proposed action, FSIS considered the alternative of no rulemaking and the alternative of eliminating all regulations on the disposition and disposal of inspected raw products. Among these regulations are those concerning the handling of raw product moving between official establishments and the disposal of condemned or inedible carcasses and parts. The first alternative would leave in place numerous detailed prescriptions and procedural requirements inconsistent with, or duplicative of, HACCP systems. The second would risk exposing the public to products that may be unwholesome or otherwise adulterated.

This proposal would convert to performance standards the regulations governing the disposition, handling, and disposal of raw carcasses and parts. The Agency believes this alternative would offer the best prospect of permitting the efficient and effective

implementation of HACCP and of maximizing the flexibility official establishments and other entities have to adopt technological and other innovations that could increase the assurance of food safety.

This proposal would also recodify the regulations on the disposition, handling, and disposal of raw meat and poultry products. To the extent possible, consistent with the Federal Meat Inspection Act and the Poultry Products Inspection Act, regulations affecting both meat and poultry would be designated to the same parts and sections of the Code of Federal Regulations. These changes would be part of the ongoing Agency effort to make the regulations more streamlined and user-friendly.

Timetable:

Action	Date	FR Cite
NPRM	11/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 720-5276

RIN: 0583-AC44

250. PERFORMANCE STANDARDS FOR SHELF-STABLE, READY-TO-EAT PRODUCTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat and poultry inspection regulations by establishing food safety performance standards for shelf-stable, ready-to-eat meat and poultry products. The proposed performance standards spell out the objective level of pathogen reduction meat and poultry establishments must meet during their operations in order to produce safe products, but allow the

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Proposed Rule Stage

use of customized, plant-specific processing procedures. Although FSIS routinely samples and tests some shelf-stable, ready-to-eat products for the presence of pathogens prior to distribution, currently there are no specific regulatory requirements for pathogen reduction in place for these products. Further, a 1994 outbreak of disease linked to consumption of dry fermented salami contaminated with the pathogen *E. coli* 0157:H7 indicates a need for performance standards for these products. The proposed performance standards would improve the safety of these products, give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls, and provide objective, measurable standards that can be verified by Agency inspectional oversight.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Patricia Stolfa, Assistant Deputy Administrator, Regulations and Inspection, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 205-0699

RIN: 0583-AC45

251. PERFORMANCE STANDARDS FOR PERISHABLE, READY-TO-EAT PRODUCTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 381; 9 CFR 430

Legal Deadline: None

Abstract: FSIS is proposing to establish pathogen reduction performance standards for all perishable, ready-to-eat meat and poultry products. The performance standards spell out the objective level of pathogen reduction that establishments must meet during their operations in order to produce

safe products, but allow the use of customized, plant-specific processing procedures other than those prescribed in the earlier regulations. Along with HACCP, food safety performance standards will give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls, while providing objective, measurable standards that can be verified by Agency inspectional oversight. This set of performance standards will include and be consistent with those soon to be in place for ready-to-eat poultry products.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Patricia Stolfa, Assistant Deputy Administrator, Regulations and Inspection, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 205-0699

RIN: 0583-AC46

252. 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

CFR Citation: 9 CFR 318.7(b)

Legal Deadline: None

Abstract: FSIS is proposing to revise the regulatory provisions concerning the production and testing of bacon (9 CFR 318.7(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.

All establishments not yet operating under the Hazard Analysis and Critical Control Point (HACCP) system requirements would be required to develop and have on file a process schedule documenting the control, monitoring, verification, validation, and corrective action activities associated with bacon production. Once all establishments are operating according to HACCP system requirements, a separate process schedule for producing bacon would no longer be necessary. Establishments under HACCP would be required to 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	09/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia F. Stolfa, Assistant Deputy Administrator, Regulations Development and Analyst Division, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 205-0699

RIN: 0583-AC49

253. IRRADIATION OF MEAT AND MEAT PRODUCTS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 7 USC 450; 21 USC 601

USDA—FSIS

Proposed Rule Stage

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the meat inspection regulations to permit the use of ionizing radiation for treating fresh or frozen uncooked meat, meat byproducts, and certain meat food products to reduce levels of pathogens. FSIS is proposing this action in light of the Food and Drug Administration's recent final rule amending the food additive regulations to provide for the safe use of irradiation sources to treat these same meat products. FSIS also is proposing to revise for consistency the current regulations governing the irradiation of poultry.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

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: Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 720-5627

RIN: 0583-AC50

254. REWORKING OF MEAT AND POULTRY CARCASSES ACCIDENTALLY CONTAMINATED DURING EVisCERATION

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 450; 21 USC 451 to 470; 21 USC 601 to 695; 7 CFR 2.18; 7 CFR 2.53

CFR Citation: 9 CFR 310; 9 CFR 381; 9 CFR 433

Legal Deadline: None

Abstract: The Food Safety and Inspection Service is proposing to amend the mandatory meat and poultry products inspection regulations concerning the reworking of carcasses accidentally contaminated during evisceration. The proposal would replace with performance standards the current prescriptive provisions governing the handling of meat carcasses and the reprocessing of poultry carcasses that have been so contaminated and would permit the on-line reprocessing of carcasses, provided the applicable performance standards are met. The proposal would permit establishments to reprocess contaminated meat and poultry carcasses on the evisceration line, rather than at separate stations, if the establishments can scientifically demonstrate a substantial improvement in the microbiological quality of the carcasses. The amended regulations would be consistent with the Agency's pathogen reduction (PR) and hazard analysis and critical control point (HACCP) regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: No

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, Office of Policy Development and Evaluation, Washington, DC 20250-3700

Phone: 202 720-5276

RIN: 0583-AC53

255. ● FEE INCREASE FOR INSPECTION SERVICES OF MEAT AND POULTRY PRODUCTS

Priority: Other Significant

Legal Authority: 7 USC 1381; 7 USC 394; 7 USC 16221; 21 USC 451; 21 USC 601

CFR Citation: 9 CFR 391

Legal Deadline: None

Abstract: FSIS is proposing to increase the fees that it charges meat and

poultry establishments, plants, importers, and exporters for providing voluntary inspection, identification, and certification services; laboratory services; and overtime and holiday services. These fee increases are based on the Agency's analysis of its projected costs for fiscal year 1999. The fee increases are being proposed in order to generate the additional revenue that FSIS is required to recover as a result of its projected increased costs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael B. Zimmerer, Director, Financial Management Division, Department of Agriculture, Food Safety and Inspection Service
Phone: 202 720-3367

RIN: 0583-AC54

256. ● LABELING OF FOOD UNDER THE VOLUNTARY NUTRITION LABELING PROGRAM; 1996 RETAIL SURVEY COMPLIANCE RESULTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 21 USC 601 - 695; 21 USC 451 - 470

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service is proposing a change in its voluntary nutrition labeling program for single ingredient, raw meat and poultry products. A retail survey indicated that less than 60 percent of retailers were participating in the voluntary program. Therefore, FSIS is proposing to require the nutrition labeling of the 45 major cuts of single-ingredient, raw meat and poultry products.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

USDA—FSIS

Proposed Rule Stage

Agency Contact: William J. Hudnall,
Assistant Deputy Administrator,

OPPDE, Department of Agriculture,
Food Safety and Inspection Service
Phone: 202 205-0495

Fax: 202 401-1760

RIN: 0583-AC55

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Food Safety and Inspection Service (FSIS)

257. SUBSTANCES APPROVED FOR USE IN THE PREPARATION OF MEAT AND POULTRY PRODUCTS

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 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None

Abstract: This rule will amend the Federal meat and poultry products inspection regulations to simplify the procedures by which FSIS approves food additives and Generally Recognized as Safe substances to be used as ingredients in meat food products and poultry products. The final rule will be developed in cooperation with the Food and Drug Administration to make the Federal regulation of food additives and other substances that may be used as ingredients in meat food and poultry products more efficient and uniform.

Timetable:

Action	Date	FR Cite
NPRM	12/29/95	60 FR 67459
NPRM Comment Period End	05/06/96	
Final Action	01/00/00	

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-AB02

258. USE OF SOY PROTEIN CONCENTRATE, FOOD STARCH-MODIFIED AND GELATIN AS BINDERS IN CERTAIN MEAT PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) plans to increase the permitted use level of food starch-modified and approve the use of soy protein concentrate in certain cured pork products. The technical effect of these substances when added to product is to reduce water purge (pumped brine) from the product. Both of these substances are listed in the Food and Drug Administration regulations as Generally Recognized as Safe for use in foods in accordance with good manufacturing practice. The technical data and information supplied by the petitioners have been received and it has been determined that the use of these substances is functional and suitable for the intended purpose. This rule only makes minor, technical changes to the chart of substances approved for use in meat products.

Timetable:

Action	Date	FR Cite
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert Post,
Department of Agriculture, Food Safety and Inspection Service, Labeling and Additives Policy Division, Washington, DC 20250
Phone: 202 205-0279

RIN: 0583-AB82

259. RETAINED WATER IN RAW MEAT AND POULTRY PRODUCTS; POULTRY CHILLING PERFORMANCE STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 9 CFR 317; 9 CFR 381; 9 CFR 440

Legal Deadline: None

Abstract: FSIS is developing a proposal to limit the amount of water absorbed and retained by single-ingredient raw meat and poultry products to the amount that is unavoidable in carrying out washing or chilling procedures. Such products include immersion-chilled poultry carcasses and raw meat byproducts that are chilled in water. A requirement for raw products to bear a labeling statement on absorbed water content is being considered. However, establishments having data that demonstrate their raw products do not gain weight as a result of washing or chilling would not have to label the products with such a statement. The proposal also would replace the command-and-control provisions of the regulations on poultry chilling and moisture control with performance standards. This proposal is being made in furtherance of the Agency's regulatory reform effort and in response to a July 23, 1997, U.S. District Court order setting aside current moisture limits for frozen, cooked, or consumer-packaged whole poultry. The labeling provisions of this proposal would be intended to provide consumers with additional information for making purchasing decisions.

Affected establishments would have to bear the minimal costs associated with any required labeling modifications.

USDA—FSIS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	09/11/98	63 FR 48961
NPRM Comment Period End	01/13/99	63 FR 68700
Final Action	10/00/99	

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, Division, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC26

260. ADDITION OF MEXICO TO LIST OF COUNTRIES ELIGIBLE TO EXPORT POULTRY PRODUCTS TO THE UNITED STATES

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 7 USC 138f; 7 USC 450; 21 USC 451; 21 USC 470

CFR Citation: 9 CFR 381.196

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is adding Mexico to the list of countries eligible to export poultry products listed in the Poultry Products Inspection Act (PPIA) into the United States. Reviews of Mexico's laws, regulations, and other materials indicate that its poultry processing system is acceptable under the PPIA and its implementing regulations. Poultry slaughtered in Mexico are not permitted to be imported into the United States. Only poultry products that have been slaughtered in federally inspected establishments in the United States and processed in certified Mexican establishments are permitted to be imported into the United States. This action will enable processed poultry products from certified processing establishments in Mexico to be imported into the United States.

Timetable:

Action	Date	FR Cite
NPRM	11/26/97	62 FR 63284
NPRM Comment Period End	01/27/98	
Final Action	04/00/99	

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 20250-3700
Phone: 202 720-5276

RIN: 0583-AC33

261. RULES OF PRACTICE

Priority: Substantive, Nonsignificant

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

Legal Authority: 21 USC 601; 21 USC 451

CFR Citation: 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 327; 9 CFR 335; 9 CFR 381; 9 CFR 500

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is amending the regulations concerning the rules of practice that apply to Agency enforcement actions. In response to comments received on the proposed rule and its experience under the Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems, FSIS is defining each type of enforcement action that it may take, the conditions under which it is likely to take each of these actions, and the procedures that it will follow in doing so. This rule is part of FSIS's ongoing efforts to consolidate, streamline, and clarify the meat and poultry product inspection regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/12/98	63 FR 1797
NPRM Comment Period End	03/13/98	
Final Action	05/00/99	
Final Action Effective	06/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Patricia Stolfa, Assistant Deputy Administrator, Regulations and Inspection, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20240-3700

Phone: 202 205-0699

RIN: 0583-AC34

262. SANITATION REQUIREMENTS FOR OFFICIAL MEAT AND POULTRY ESTABLISHMENTS

Priority: Other Significant

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 303; 9 CFR 308; 9 CFR 381; 9 CFR 416

Legal Deadline: None

Abstract: FSIS is consolidating the sanitation regulations into a single part applicable to both meat and poultry establishments, eliminating unnecessary differences between the meat and poultry sanitation requirements, and converting many of the highly prescriptive sanitation requirements to performance standards.

Timetable:

Action	Date	FR Cite
NPRM	08/25/97	62 FR 45045
NPRM Comment Period End	10/24/97	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

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 20250-3700
Phone: 202 720-5627

RIN: 0583-AC39

263. MEAT PRODUCED BY ADVANCED MEAT/BONE SEPARATION MACHINERY AND RECOVERY SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 601 to 695

CFR Citation: 9 CFR 301.2; 9 CFR 318.24 (Revision); 9 CFR 320.1(b)(10)

Legal Deadline: None

USDA—FSIS

Final Rule Stage

Abstract: In 1994, the Food Safety and Inspection Service amended its regulations to recognize that product resulting from advanced meat/bone separation machinery comes within the definition of meat when recovery systems are operated to assure that the characteristics and composition of the resulting product are consistent with those of meat. Subsequent compliance problems and other concerns have made it apparent that the regulations are confusing and inadequate to prevent misbranding and economic adulteration. Therefore, FSIS is

developing a proposed rule to clarify the regulations and supplement the rules for assuring compliance. The Agency is reviewing information obtained since publication of the proposal and further rulemaking on the noncompliance criterion for bone marrow.

Timetable:

Action	Date	FR Cite
NPRM	04/13/98	63 FR 17959
NPRM Comment Period End	06/12/98	
Final Action	06/00/99	

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, Office of Policy, Program Development and Evaluation, Washington, DC 20250-3700
Phone: 202 720-5627

RIN: 0583-AC51

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Food Safety and Inspection Service (FSIS)

264. NUTRITION LABELING OF GROUND BEEF AND HAMBURGER

Priority: Other Significant

CFR Citation: 9 CFR 317; 9 CFR 381

Timetable:

Action	Date	FR Cite
NPRM	05/24/94	59 FR 26916
NPRM Extension of Comment Period	07/05/94	59 FR 34396
NPRM Comment Period End	07/08/94	
NPRM Extension of Comment Period End	08/22/94	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William Hudnall
Phone: 202 720-7773

RIN: 0583-AB74

265. BEEF OR PORK WITH BARBECUE SAUCE; REVISION OF STANDARDS

Priority: Substantive, Nonsignificant. 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.

CFR Citation: 9 CFR 319

Timetable:

Action	Date	FR Cite
NPRM	09/03/97	62 FR 46450
NPRM Comment Period End	11/03/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Hudnall
Phone: 202 720-7773

RIN: 0583-AC09

266. LABELING STANDARDS FOR OVINE CARCASSES, PARTS OF CARCASSES, MEAT AND MEAT FOOD PRODUCTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

CFR Citation: 9 CFR 319

Timetable:

Action	Date	FR Cite
NPRM	11/21/97	62 FR 62271
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Alfred Liepold
Phone: 202 205-0292

RIN: 0583-AC41

267. SALMONELLA ENTERITIDIS IN EGGS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 7 CFR 59; 21 CFR 100

Timetable:

Action	Date	FR Cite
ANPRM	05/19/98	63 FR 27502
ANPRM Comment Period End	08/17/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC52

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Food Safety and Inspection Service (FSIS)

268. PERFORMANCE STANDARDS FOR CERTAIN MEAT PRODUCTS AND POULTRY PRODUCTS**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.**CFR Citation:** 9 CFR 301; 9 CFR 318; 9 CFR 320; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Final Action	01/06/99	64 FR 732
Final Action Effective	03/08/99	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn
Phone: 202 720-5627**RIN:** 0583-AB94**269. ELIMINATION OF PRIOR APPROVAL REQUIREMENTS FOR EGG PRODUCT PLANT DRAWINGS, SPECIFICATIONS, AND EQUIPMENT****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.

CFR Citation: 7 CFR 55; 7 CFR 59**Completed:**

Reason	Date	FR Cite
Withdrawn - FSIS is revisiting the proposed policy.	01/21/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Patricia Stolfa
Phone: 202 205-0699**RIN:** 0583-AC06**BILLING CODE** 3410-DM-F

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Foreign Agricultural Service (FAS)

270. PROPOSED REGULATIONS GOVERNING IMPLEMENTATION OF THE COOPERATOR FOREIGN MARKET DEVELOPMENT PROGRAM OVERSEAS**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 7 USC 1704**CFR Citation:** 7 CFR 1550**Legal Deadline:** None**Abstract:** These regulations are promulgated to provide minimum requirements and criteria for parties interested in participating in the Cooperator Market Development Program, as authorized by title VII of the Agricultural Trade Act of 1978, 7 USC 5721, et seq.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley, Regulatory Coordinator, Department of Agriculture, Foreign AgriculturalService, Room 6087 South Building, Washington, DC 20250
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RIN: 0551-AA26**271. 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. A proposed rule will solicit public comments.**Timetable:**

Action	Date	FR Cite
ANPRM	11/14/96	61 FR 58343
ANPRM Comment Period End	01/13/97	
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6087 South Building, Washington, DC 20250
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RIN: 0551-AA51

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)
Long-Term Actions
**272. CCC SUPPLIER CREDIT
GUARANTEE PROGRAM**

Priority: Economically Significant

CFR Citation: 7 CFR 1493

Timetable:

Action	Date	FR Cite
NPRM	07/19/95	60 FR 37025
NPRM Comment Period End	09/18/95	
Interim Final Rule	07/01/96	61 FR 33825
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0551-AA30

**273. 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

**274. REFORM OF EXPORT BONUS
PROGRAM**

Priority: Other Significant

CFR Citation: 7 CFR 1494; 7 CFR 1570

Timetable:

Action	Date	FR Cite
ANPRM	06/26/95	60 FR 32923
ANPRM Comment Period End	07/26/95	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

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RIN: 0551-AA41

**275. DAIRY TARIFF-RATE IMPORT
QUOTA LICENSING**

Priority: Other Significant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

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.

CFR Citation: 7 CFR 6.20 to 6.36

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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RIN: 0551-AA53

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)
Completed Actions
**276. DAIRY TARIFF RATE IMPORT
QUOTA LICENSING**

Priority: Economically 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.

CFR Citation: 7 CFR 6.20 to 6.34

Completed:

Reason	Date	FR Cite
Final Action	10/09/96	61 FR 53002
Final Action Effective	10/09/96	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 0551-AA27

277. SUGAR IMPORT LICENSING

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.

CFR Citation: 7 CFR 1530; 7 CFR 1530 subpart A; 7 CFR 1530 subpart B; 7 CFR 1530 subpart C

Completed:

Reason	Date	FR Cite
Final Action	02/12/99	64 FR 7059

USDA—FAS

Completed Actions

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Kimberly Chisley

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RIN: 0551-AA39**278. REGULATION GOVERNING IMPLEMENTATION OF THE MARKET ACCESS PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1485**Completed:**

Reason	Date	FR Cite
Final Action	06/02/98	63 FR 29938
Final Action Effective	06/02/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley

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RIN: 0551-AA52**279. REGULATIONS GOVERNING THE FINANCING OF COMMERCIAL SALES OF AGRICULTURAL COMMODITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	11/05/98	63 FR 59691
Final Action Effective	11/05/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley

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RIN: 0551-AA54**280. CHANGES TO THE REGULATION TO ACHIEVE MORE EFFECTIVE MANAGEMENT OF FOREIGN DONATIONS OF AGRICULTURAL COMMODITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1499.1; 7 CFR 1499.7(e); 7 CFR 1499.8(b); 7 CFR 1499.8(g); 7 CFR 1499.10; 7 CFR 1499.15; 7 CFR 1499.16**Completed:**

Reason	Date	FR Cite
Final Action	11/06/98	63 FR 59876
Final Action Effective	11/06/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley

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RIN: 0551-AA56**281. AMEND REGULATIONS GOVERNING PROCEDURES FOR PROCURING OCEAN TRANSPORTATION FOR AGRICULTURAL COMMODITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1499.8; 7 CFR 1499.8(c)(2)**Completed:**

Reason	Date	FR Cite
Final Action	11/06/98	63 FR 59876
Final Action Effective	11/06/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley

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RIN: 0551-AA57

BILLING CODE 3410-10-F

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Forest Service (FS)

282. DISPOSAL OF NATIONAL FOREST TIMBER: TIMBER SALE CONTRACT REVISIONS**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 472a; 16 USC 618; 16 USC 620 et seq**CFR Citation:** None**Legal Deadline:** None**Abstract:** This advance notice of proposed policy requests comment on recommended changes to forms FS-2400-6 and FS-2400-6T, timber sale

contracts currently used by the Forest Service to sell National Forest System timber. An advance proposal of timber sale contract provisions will be included as part of the notice. This proposed contract reflects recent court decisions and recent natural resource and environmental legislation and would clarify the rights, responsibilities, and obligations of the contracting parties. The revised contract also would address specific provisions in the current contract that have generated costly litigation in the

past between the Government and the purchaser and would address the concerns regarding timber theft and log accountability. After reviewing public comment on the advance notice, the Agency will develop and publish a proposed contract for public comment.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/99	
ANPRM Comment Period End	06/00/99	

USDA—FS

Prerule Stage

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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-AB52

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

Proposed Rule Stage

283. HYDROPOWER APPLICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 551; 43 USC 1761

CFR Citation: 00 CFR 00

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	60 FR 36401
NPRM Comment Period End	09/05/95	
Second NPRM	08/00/99	
Second NPRM Comment Period End	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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-AA47

284. NATIONAL FOREST PROHIBITIONS

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 472; 16 USC 551; 16 USC 683; 7 USC 1011(f); 16 USC 1246(i); 16 USC 1133(c) to 1133(d)(1); 16 USC 4306 to 4307

CFR Citation: 36 CFR 261

Legal Deadline: None

Abstract: Regulations at 36 CFR 261, subpart A, set out the acts prohibited on National Forest System (NFS) lands. These prohibitions derive from either statutes governing National Forest programs or other regulations. The regulations at subpart B authorize Regional Foresters, Forest Supervisors, or Station Directors to close National Forest System lands under their jurisdiction to certain uses or to restrict some uses of NFS lands. These closures are issued by order. Because of the high level of public interest in this rulemaking the Agency has decided to issue a second proposed rule for comment. This action no longer includes the minor revisions to part 262, Law Enforcement Support Activities, which is now described as a separate action.

Timetable:

Action	Date	FR Cite
NPRM	02/16/94	59 FR 7880
NPRM Comment Period End	05/18/94	
Second NPRM	02/00/00	
Second NPRM Comment Period End	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: RIN 0596-AA65 was combined with RIN 0596-AA75

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-AA75

285. 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	07/00/99	

USDA—FS

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	09/00/99	

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

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RIN: 0596-AA79

286. NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLANNING**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 1600 et seq; 5 USC 301**CFR Citation:** 36 CFR 219**Legal Deadline:** None

Abstract: The President's environmental program includes incorporation of the principles of ecosystem management in natural resource planning for all units of the National Forest System. In support of that effort, proposed regulations will be published governing how future changes in direction will be made and how those changes will be documented. Guided by the recommendations of a recently chartered Committee of Scientists, the regulation also will streamline planning and update planning procedures and requirements to reflect the Agency's and public's experience gained over the last 15 years. Emphasis will be placed on assessing ecosystem health through ecoregional and watershed-level assessments. The rule also will strengthen public participation opportunities in planning, as well as give greater emphasis to interaction and dialog with Federal, State, local, and Indian tribal governments.

Timetable:

Action	Date	FR Cite
ANPRM	02/15/91	56 FR 6508

Action	Date	FR Cite
NPRM	04/13/95	60 FR 18886
NPRM Comment Period End	08/17/95	60 FR 36767
Second NPRM	06/00/99	
Second NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

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-AB20

287. 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	04/00/99	
NPRM Comment Period End	06/00/99	

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

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RIN: 0596-AB27

288. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**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	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Organizations**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

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administration process have been merged with RIN 0596-AB35. Thus, this rulemaking addresses only the cost-reimbursement provisions.

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RIN: 0596-AB36

289. 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
NPRM	06/00/99	

Action	Date	FR Cite
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB45

290. 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	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 0596-AB48

291. NATIONAL ENVIRONMENTAL POLICY ACT; REVISED POLICY AND PROCEDURES; CATEGORICAL EXCLUSIONS

Priority: Other Significant

Legal Authority: 42 USC 4371

CFR Citation: 00 CFR 00

Legal Deadline: None

Abstract: The proposed revision to Forest Service Manual and Handbook direction would be revised to clarify the environmental analysis process used by the Forest Service to implement the NEPA regulations at 40 CFR part 1500. The proposal will focus on better defining the process for determining when projects are categorically excluded and expanding the categories of action that can be excluded under NEPA.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB54

292. 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

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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	10/00/99	
Second NPRM Comment Period End	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB61

293. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 551; 23 USC 205

CFR Citation: 36 CFR 212

Legal Deadline: None

Abstract: The Forest Service proposes to revise 36 CFR part 212 to address changes in how the National Forest System transportation road system is developed, used, maintained, and funded. The proposed revisions at 36 CFR part 212 will include a comprehensive science-based policy for the future. Expected features of the proposed revision will include (1) guidance for decommissioning unneeded roads; (2) expanded policy to update road construction, design, and maintenance requirements; and (3) guidance on expenditure priorities for limited funds. The intended effect of the proposed revisions will be to

reduce environmental impacts from road construction and reconstruction activities and improve the efficiency and effectiveness of road maintenance and expenditure of limited road dollars.

Timetable:

Action	Date	FR Cite
ANPRM	01/28/98	63 FR 4350
ANPRM Comment Period End	03/30/98	
NPRM	07/00/99	
NPRM Comment Period End	09/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB67

294. 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	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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-AB70

295. • SMALL BUSINESS TIMBER SALE SET-ASIDE RECOMPUTATION BASIS

Priority: Info./Admin./Other

Legal Authority: 16 USC 472; 16 USC 618; 16 USC 620

CFR Citation: None

Legal Deadline: None

Abstract: The Forest Service is proposing to revise policy and procedures that will make timber sale set-aside recomputations, required by industry changes, easier to implement and more responsive to the actual conditions in the market area. Two changes are proposed. The first would revise the formula used to calculate the timber sale set-aside program recomputation by removing timber harvest data and instead use only timber sale purchased volume data. The second proposed change would be to modify the timing of a structural change implementation from 3 years to 1.5 years. Structural change recalculations are needed when a business's characteristics change, such as the size of the operation. This will simplify the process and give appropriate weight to small and big businesses.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

USDA—FS

Proposed Rule Stage

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296. • CATEGORICAL EXCLUSION FOR CERTAIN SPECIAL USES PERMIT ACTIONS (FSH 1909.15, CHAPTER 30)

Priority: Routine and Frequent

Legal Authority: 42 USC 4321 to 4346

CFR Citation: None

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 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 section 31.1b of FSH 1909.15, Environmental Policy and Procedures Handbook, to provide clearer direction regarding the NEPA obligation in the transfer of and amendment to special use authorizations. Also, a new category would be added to section 31.2 that applies to the renewal of special use authorizations.

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. The existing definition in section 30.3 implies that the "mere presence" of an

extraordinary circumstance would require that an Environmental Assessment (EA) or Environmental Impact Statement (EIS) be completed for actions that would otherwise be categorically excluded. The Forest Service proposes to amend this section to provide that an identified extraordinary circumstance must clearly have an impact on the National Forest resource to merit preparation of an EA or EIS.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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297. • CLARIFICATION OF EXEMPTIONS FROM SPECIAL-USE AUTHORIZATIONS

Priority: Routine and Frequent

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 business-like, 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	04/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0596-AB74

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

Final Rule Stage

298. 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	07/00/99	
Final Action Effective	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AA52

299. 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	04/00/99	
Final Action Effective	05/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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RIN: 0596-AB21

300. STATE AND PRIVATE FORESTRY ASSISTANCE STEWARDSHIP INCENTIVE 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: 16 USC 2101 et seq

CFR Citation: 36 CFR 230

Legal Deadline: None

Abstract: This final rule would incorporate streamlined procedural changes in response to public comments on the interim rule published December 4, 1991. The interim rule established the interim procedures for administration of the Stewardship Incentive program. The program is intended to encourage private landowners, through cost-share assistance, to manage their forest lands

for economic, environmental, and social benefits. Only two alternatives were considered in detail: (1) To implement the program in accordance with 16 USC 2101, et seq., and (2) not to implement the program, in which case there would be no accelerated program for multiple resource management on nonindustrial private forest lands. The overall effects of the program over time will be environmentally beneficial by enhancing wetlands, wildlife habitat, forest health, forest productivity, and recreation. The program will help meet future demand for commodity and noncommodity forest resources. There are no potential negative impacts anticipated for the program.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/04/91	56 FR 63581
Interim Final Rule Public Comment Period End	01/21/92	
Final Action	08/00/99	
Final Action Effective	09/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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RIN: 0596-AB32

301. 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

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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. Procedures for administering the statutory rights and preferences established by the Alaska National Interest Lands 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 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.

Timetable:

Action	Date	FR Cite
NPRM	04/25/97	62 FR 20140
NPRM Comment Period End	06/24/97	
Final Action	08/00/99	
Final Action Effective	09/00/99	

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

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RIN: 0596-AB57**302. APPEAL OF DECISIONS RELATING TO OCCUPANCY AND USE OF NATIONAL FOREST SYSTEM LANDS; MEDIATION OF GRAZING PERMIT DISPUTES****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 5101 to 5106**CFR Citation:** 36 CFR 251**Legal Deadline:** None

Abstract: Under section 282 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994, the Secretary of Agriculture is required to offer mediation of grazing permit disputes on National Forest System lands in those States which have USDA-certified mediation programs. In response to the Act, the Forest Service published proposed modifications of the Agency's administrative appeal rule at 36 CFR part 251, subpart C, to allow for mediation of grazing permit disputes on February 27, 1998 (63 FR 9987). Thirteen comments were received from six groups and individuals representing private organizations, agricultural mediation programs, State agencies, and private citizens.

Timetable:

Action	Date	FR Cite
NPRM	02/27/98	63 FR 9987
NPRM Comment Period End	04/28/98	
Final Action	05/00/99	
Final Action Effective	06/00/99	

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

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RIN: 0596-AB59**303. ADMINISTRATIVE, COOPERATIVE FUNDS AGREEMENTS****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 498; 16 USC 472; 16 USC 551**CFR Citation:** 36 CFR 211**Legal Deadline:** None

Abstract: The Forest Service published a proposed revision to 36 CFR part 211

in the Federal Register on May 18, 1998 (63 FR 27245), to implement recent amendments to the Act of June 30, 1914 (16 USC 498 et seq.). The amendments to the Act (1) expand the Forest Service's authority to use contributions on the entire National Forest System for cooperative work, (2) add the word "management" to the list of activities for which contributions for cooperative work may be accepted, (3) allow reimbursable payments to the agency by cooperators, (4) provide specific authority to accomplish cooperative work using Forest Service funds prior to reimbursement by the cooperator pursuant to a written agreement, and (5) adequately protect the Government's interests.

The agency received six responses to the proposed rule: Three from national conservation organizations, one from a State fish and wildlife agency, one from a utility company, and one from a Member of Congress.

The Department has considered all comments and is proceeding to publish the final rule.

Timetable:

Action	Date	FR Cite
NPRM	05/18/98	63 FR 27245
NPRM Comment Period End	07/17/98	
Final Action	04/00/99	
Final Action Effective	05/00/99	

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

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RIN: 0596-AB63**304. NOTICE, COMMENT, AND APPEAL PROCEDURES FOR NATIONAL FOREST SYSTEM PROJECTS AND ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 102-381, sec 322**CFR Citation:** 36 CFR 215**Legal Deadline:** None

Abstract: A recent lawsuit brought by a Forest Service employee challenging this regulation led to a reassessment of the employee appeal limitation 36 CFR

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215.11(c). The Department agreed to repeal the employee prohibition provision to allow the agency time to consider the issues related to employees filing appeals. After additional consideration of relevant factors, the Department may decide to publish a new proposed rule to address the matter of appeals by employees. If

so, public comment would be requested at the time.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/28/98	63 FR 4187
Final Action	06/00/99	
Final Action Effective	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB69

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Forest Service (FS)

305. SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

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.

CFR Citation: 36 CFR 251

Completed:

Reason	Date	FR Cite
Final Action	11/30/98	63 FR 65950
Final Action Effective	12/30/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB35

306. SMALL BUSINESS TIMBER SALE SET-ASIDE PROGRAM; APPEAL PROCEDURE ON RECOMPUTATION OF SHARES

Priority: Info./Admin./Other

CFR Citation: 36 CFR 223.118

Completed:

Reason	Date	FR Cite
Final Action	01/05/99	64 FR 406
Final Action Effective	01/20/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB62

307. CATEGORICAL EXCLUSION FOR CERTAIN SKI AREA PERMIT ACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: None

Completed:

Reason	Date	FR Cite
Final Action	09/09/98	63 FR 48170
Final Action Effective	09/24/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0596-AB65

308. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM: TEMPORARY SUSPENSION OF ROAD CONSTRUCTION IN ROADLESS AREAS

Priority: Other Significant

CFR Citation: 36 CFR 212.13

Completed:

Reason	Date	FR Cite
Final Action	02/12/99	64 FR 7290
Final Action Effective	03/01/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB68

309. ● SKI AREA PERMIT FEE SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 497 (b)

CFR Citation: 36 CFR 251

Legal Deadline: None

Abstract: The Forest Service proposes to issue final policy in the Forest Service Manual (FSM) and Forest Service Handbook (FSH) to guide its employees in administering the provisions of section 701 of the Omnibus Parks and Public Lands Management Act of 1996 that relate to ski area permit fees on National Forest System lands. The statutory provisions, which amended the National Forest Ski Area Permit Act of 1986, were designed to streamline permit administration for both the Forest Service and the ski areas. The policy would be issued to chapter FSM 2720, Special Uses Administration, and chapters 30 and 50 of FSH 2709.11, Special Uses Handbook. The policy would implement the permit fee calculation method as set forth in this statute, which allows very little agency discretion and which supersedes the proposed fee system the Forest Service had published for notice and comment in the Federal Register on July 13, 1995. The Congressional Budget Office has determined the implementation of the fee provisions in the 1996 statute to be revenue neutral.

Timetable:

Action	Date	FR Cite
Final Action	02/22/99	64 FR 8682
Final Action Effective	02/26/99	

USDA—FS

Completed Actions

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
Phone: 703 605-4533

Fax: 703 605-5111
Email: mconnoll/wo@fs.fed.us

RIN: 0596-AB71
BILLING CODE 3410-11-F

DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)

Proposed Rule Stage

310. • 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 twenty 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	04/00/99	
NPRM Comment	06/00/99	
Period End		

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
Fax: 202 690-1395

RIN: 0503-AA20

DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)

Final Rule Stage

311. UNIFORM PROCEDURES FOR THE ACQUISITION AND TRANSFER OF EXCESS PERSONAL PROPERTY

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2206(a); 7 USC 301; 20 USC 1059c(b)

CFR Citation: 7 CFR 3200; 7 CFR 3201; 7 CFR 3202; 7 CFR 3203; 7 CFR 3204; 7 CFR 3205; 7 CFR 3206; 7 CFR 3208; 7 CFR 3209; 7 CFR 3210; 7 CFR 3211

Legal Deadline: None

Abstract: This action will set forth uniform procedures for the acquisition

and transfer of excess personal property to the 1890 Land Grant Institutions (including Tuskegee University), the 1994 Land Grant Institutions, and the Hispanic Serving Institutions in support of research, educational, technical, and scientific activities or for related purposes.

Timetable:

Action	Date	FR Cite
NPRM	01/23/98	63 FR 3481
NPRM Comment	02/23/98	
Period End		
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Linda W. Oliphant, Property Utilization Specialist, Department of Agriculture, Office of the Secretary
Phone: 202 720-3141
Fax: 202 720-3747

RIN: 0503-AA19

DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)

Long-Term Actions

312. 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
Second NPRM	11/10/98	63 FR 62962
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

313. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Priority: Other Significant

CFR Citation: 7 CFR 3016

Timetable:

Action	Date	FR Cite
NPRM	02/17/98	63 FR 7734
NPRM Comment	06/18/98	
Period End		
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Gerald Miske
Phone: 202 720-1553

USDA—AgSEC

Long-Term Actions

Fax: 202 690-1529

RIN: 0503-AA16

DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)

Completed Actions

314. DESIGNATION OF RURAL
EMPOWERMENT ZONES AND
ENTERPRISE COMMUNITIES

Priority: Other Significant

CFR Citation: 7 CFR 25

Completed:

Reason	Date	FR Cite
Final Action	10/07/98	63 FR 53779
Final Action Effective	10/09/98	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Victor Vasquez

Phone: 202 619-7980

Fax: 202 690-1395

RIN: 0503-AA18

BILLING CODE 3410-90-F

DEPARTMENT OF AGRICULTURE (USDA)
Rural Business-Cooperative Service (RBS)

Proposed Rule Stage

315. RURAL ECONOMIC
DEVELOPMENT LOAN AND GRANT
PROGRAMPriority: Other Significant. Major status
under 5 USC 801 is 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 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 proposed
regulation will be simpler and improve
the ease of use by the public and
program beneficiaries. The regulations
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.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Public Compliance Cost: Initial Cost:
\$25,000; Yearly Recurring Cost:
\$25,000; Base Year for Dollar Estimates:
1995

Sectors Affected: None

Agency Contact: Mark Wyatt, Team
Leader, Specialty Lenders Division,
Department of Agriculture, Rural
Business-Cooperative Service, Room
5413 South Building, Washington, DC
20250

Phone: 202 720-1400

RIN: 0570-AA19

316. BUSINESS AND INDUSTRY
DIRECT LOAN PROGRAM

Priority: Other Significant

Legal Authority: 7 USC 1989; 42 USC
1480; 5 USC 301CFR 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, 1951-E to make and service new and
existing direct B&I loans. These
regulations contain very limited
direction in direct B&I loan making.
The Agency is writing new regulations
to replace the instructions for direct
loan making and servicing. This
program will complement the Agency's
existing guaranteed (B&I) loan program.

Timetable:

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

Regulatory Flexibility Analysis
Required: YesSmall Entities Affected: Businesses,
Governmental Jurisdictions,
OrganizationsGovernment Levels Affected: Local,
TribalAgency Contact: Richard Bonnet,
Senior Loan Specialist, Business
Program Processing Division,
Department of Agriculture, Rural
Business-Cooperative Service, 1400
Independence Avenue SW., Room 6864
South Building, STOP 3221,
Washington, DC 20250
Phone: 202 720-1804
Fax: 202 690-3808
Email: rbonnet@rurdev.usda.gov

RIN: 0570-AA22

317. BUSINESS AND INDUSTRIAL
GUARANTEED LOAN PROGRAM—
MISCELLANEOUS CHANGES

Priority: Other Significant

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

USDA—RBS

Proposed Rule Stage

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	01/00/00	
NPRM Comment Period End	03/00/00	

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

Agency Contact: Richard Bonnet, Senior Loan Specialist, Business Program Processing Division, Department of Agriculture, Rural Business-Cooperative Service, 1400 Independence Avenue SW., Room 6864 South Building, STOP 3221, Washington, DC 20250
Phone: 202 720-1804
Fax: 202 690-3808
Email: rbonnet@rurdev.usda.gov

RIN: 0570-AA23

318. 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

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 Economic Development Loan and Grant Programs, and the Business and Industry Direct Loan Program. 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 Multi-Family 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	03/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: David Lewis, Loan Specialist, Business Program Servicing Division, Department of Agriculture, Rural Business-Cooperative Service, 1400 Independence Avenue SW., Room 5425 South Building, Washington, DC 20250

Phone: 202 690-0797

RIN: 0570-AA24

319. 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 purposes to develop a streamlined application form when financing

working capital, which includes cooperative stock.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Richard Bonnet, Senior Loan Specialist, Business Programs Processing Division, Department of Agriculture, Rural Business-Cooperative Service, 1400 Independence Avenue SW., Room 5419 South, STOP 3201, Washington, DC 20250

Phone: 202 720-1804

Fax: 202 690-3808

Email: rbonnet@rurdev.usda.gov

RIN: 0570-AA26

320. RURAL AND RURAL AREA UNDER THE RURAL COMMUNITY ADVANCEMENT PROGRAM

Priority: Other Significant

Legal Authority: PL 104-130

CFR Citation: 7 CFR 4279; 7 CFR 1980; 7 CFR 1942; 7 CFR 4284

Legal Deadline: None

Abstract: A new statutory definition of rural and rural area for programs financed under the Rural Community Advancement Program must be implemented. The new definition was contained in the 1996 Farm Bill, PL 104-130. The definition applies to the Business and Industry Direct and Guaranteed Loan Programs, Rural Business Enterprise Grant Program and the Rural Business Opportunity Grant Program.

Timetable:

Action	Date	FR Cite
NPRM	09/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Local

Agency Contact: Don Scroggs, Director, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, 1400

USDA—RBS

Proposed Rule Stage

Independence Avenue SW., Stop 1521, Phone: 202 720-1400
Washington, DC 20250-1521

Fax: 202 720-2213
RIN: 0570-AA27

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Rural Business-Cooperative Service (RBS)

321. RURAL BUSINESS OPPORTUNITY GRANTS

Priority: Other Significant

Legal Authority: 7 USC 1989; 7 USC 1926

CFR Citation: 7 CFR 4284; 7 CFR 1951

Legal Deadline: None

Abstract: The Rural Business-Cooperative Service proposes to add a new regulation implementing a grant program to fund local technical assistance and planning activities in rural areas for the purpose of improving economic conditions. Grants will be available to public bodies and nonprofit organizations. This action is necessary

to comply with Pub. L. 104-127. Grants may be used for technical assistance and training for small businesses, identifying and analyzing business opportunities in rural areas establishing business support centers, conducting local or multi-county economic development planning, coordination of economic development activities, and leadership development training of local government officials.

Timetable:

Action	Date	FR Cite
NPRM	02/03/98	63 FR 5474
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Local, Tribal

Agency Contact: Wayne Stansbery, Loan Specialist, Business Programs, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, 1400 Independence Avenue SW., Room 6868-South, STOP 1521, Washington, DC 20250

Phone: 202 720-6819

Fax: 202 720-2213

Email: wstansbe@rus.usda.gov

RIN: 0570-AA05

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Rural Business-Cooperative Service (RBS)

322. RURAL VENTURE CAPITAL DEMONSTRATION PROGRAM

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

CFR Citation: 7 CFR 4279 subpart A; 7 CFR 4279 subpart F; 7 CFR 4287 subpart G

Timetable:

Action	Date	FR Cite
ANPRM	04/09/97	62 FR 17107
ANPRM Comment Period End	05/09/97	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Brenda Griffin

Phone: 202 720-6802

Fax: 202 690-3808

Email: bgriffin@rurdev.usda.gov

RIN: 0570-AA25

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Rural Business-Cooperative Service (RBS)

323. RURAL BUSINESS ENTERPRISE GRANTS AND TELEVISION DEMONSTRATION GRANTS

Priority: Other Significant

CFR Citation: 7 CFR 1942 subpart G; 7 CFR 4284 subpart B

Completed:

Reason	Date	FR Cite
Withdrawn - Substantial Changes Require New Proposed Rule	01/28/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Carole Boyko
Phone: 202 720-0661

RIN: 0570-AA08

324. NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER

Priority: Other Significant

CFR Citation: 7 CFR 4286 subpart A

Completed:

Reason	Date	FR Cite
Withdrawn - Separate Rule for Center Unnecessary	12/02/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Thomas H. Stafford
Phone: 202 690-0368

Fax: 202 690-2723

Email: thomas.stafford@usda.gov

RIN: 0570-AA21

BILLING CODE 3410-07-F

DEPARTMENT OF AGRICULTURE (USDA)
Rural Utilities Service (RUS)

Prerule Stage

325. • AMENDING THE RURAL UTILITIES SERVICE WATER AND WASTE PROGRAM 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:** 7 USC 301; 7 USC 1989; 16 USC 1005**CFR Citation:** 7 CFR 1780**Legal Deadline:** None**Abstract:** This proposed action combines the various servicing regulations of the water and waste program into one. The new regulation will codify and codify RUS policy relating to servicing water and waste loans and grants.**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr., Director, Program Development, 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-AB44
DEPARTMENT OF AGRICULTURE (USDA)
Rural Utilities Service (RUS)

Proposed Rule Stage

326. PRESERVATION OF RECORDS ACCOUNTING REQUIREMENTS FOR RUS ELECTRIC BORROWERS
Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is 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 901 et seq**CFR Citation:** 7 CFR 1767 D**Legal Deadline:** None**Abstract:** The Rural Utilities Service (RUS) proposes to amend its regulation by adding a new subpart on Preservation of Records. Current RUS policy on this subject is set forth in RUS Bulletin 180-2, Manual for Preservation of Borrower's Records. In addition to codifying these policies and procedures, revisions are being proposed to the existing policy that will establish the proper record media forms for record retention. Once the final is effective, RUS Bulletin 180-2 will be rescinded.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr., Director, Program Development, Department of Agriculture, Rural Utilities Service, Room 4034, SouthBuilding, 1400 Independence Avenue SW., Washington, DC 20250-1522
Phone: 202 720-9550
Fax: 202 720-4120**RIN:** 0572-AA92**327. LOAD FORECASTS****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 to 950(b); PL 99-591**CFR Citation:** 7 CFR 1710 E**Legal Deadline:** None**Abstract:** The Rural Utilities Service (RUS) is proposing to amend its regulations to revise requirements for borrowers load forecasts (previously referred to as power requirements studies) and load forecast work plans. The proposed changes would reduce the level of detail required in load forecasts filed by smaller power supply borrowers and their members and by distribution borrowers unaffiliated with a large power supply borrower.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr., Director, Program Development, 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-AB05
328. WATER AND WASTE LOAN AND GRANT SERVICING
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 1989**CFR Citation:** 7 CFR 1782**Legal Deadline:** None**Abstract:** This proposed action combines the various servicing regulations of the water and waste program into one. The new regulation will codify and clarify RUS policy relating to servicing water and waste loans and grants.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr., Director, Program Development,

USDA—RUS

Proposed Rule Stage

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-AB23

329. 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 Bul. 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	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development,

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

330. ● SEISMIC SAFETY

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 901 et seq; 42 USC 7701 et seq; EO 12699

CFR Citation: 7 CFR 1792 C

Legal Deadline: None

Abstract: This revision is being made to update and simplify the requirements of RUS. This revised rule will provide RUS borrowers, grant recipients, 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.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development, 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

331. ● REVISION OF RUS TELECOMMUNICATIONS PROGRAM AND RTB LOAN DOCUMENTS

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 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
NPRM	06/00/99	
NPRM Comment Period End	08/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development, 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

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Rural Utilities Service (RUS)

332. TELECOMMUNICATIONS SYSTEM CONSTRUCTION POLICIES AND PROCEDURES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is 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 901 et seq; 7 USC 1921; PL 103-354

CFR Citation: 7 CFR 1753

Legal Deadline: None

Abstract: The Rural Utilities Service (RUS) proposes to revise its regulations on telecommunications system

construction policies and procedures. This revision includes empowering the telephone borrowers by reducing oversight by RUS with respect to preparation of plans and specifications, bid approvals and final document approvals. In addition to reducing the requirements for facilities construction, RUS will also make technical

USDA—RUS

Final Rule Stage

corrections and clarifications, and minor technical changes.

Timetable:

Action	Date	FR Cite
NPRM	07/17/98	63 FR 38503
NPRM Comment Period End	09/15/98	
Final Action	04/00/99	
Final Action Effective	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development, 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-AB34

333. • DISTANCE LEARNING AND TELEMEDICINE LOAN AND 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: 7 USC 901 et seq; PL 103-354; 7 USC 6941 et seq

CFR Citation: 7 CFR 1703 D

Legal Deadline: None

Abstract: The Rural Utilities Service (RUS) is amending its regulations for its Distance Learning and Telemedicine (DLT) Loan and Grant Program. These amendments will clarify the requirements for the different types of financial assistance offered; streamline policies and procedures for obtaining loans and expanding purposes for which loans can be used; and administer the grant program on a competitive basis.

Timetable:

Action	Date	FR Cite
Final Action	04/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development, 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-AB45

334. • CONSTRUCTION WORK PLANS AND RELATED STUDIES

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; PL 99-591; 7 USC 6941 et seq

CFR Citation: 7 CFR 1710 F

Legal Deadline: None

Abstract: The Rural Utilities Service (RUS) is amending its regulations to revise the method of determining loan fund eligibility for "ordinary replacements," and authorized use of minor projects for guaranteed financing.

Timetable:

Action	Date	FR Cite
Final Action	04/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Director, Program Development, 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-AB46

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Rural Utilities Service (RUS)

335. ELECTRIC STANDARDS AND SPECIFICATIONS FOR MATERIALS 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.

CFR Citation: 7 CFR 1728

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AA67

336. POST-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS

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.

CFR Citation: 7 CFR 1717, subparts A-F; 7 CFR 1717, subparts J-K

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr., Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AA71

337. CIVIL RIGHTS POLICIES APPLICABLE TO RUS BORROWERS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

USDA—RUS

Long-Term Actions

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 7 CFR 1790

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AA75

338. LOAN DOCUMENTS—BANK 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.

CFR Citation: 7 CFR 1620

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AA76

339. DEPRECIATION RATES AND PROCEDURES

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.

CFR Citation: 7 CFR 1767 C

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AA80

340. USE OF GENERAL FUNDS INVESTMENTS, LOAN GUARANTEES, AND RETIREMENT OF CAPITAL CREDITS BY ELECTRIC BORROWERS

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.

CFR Citation: 7 CFR 1717 O

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AB01

341. RUS APPROVAL OF SALE OF CAPITAL ASSETS BY ELECTRIC BORROWERS

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.

CFR Citation: 7 CFR 1717 P

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined
NPRM Comment	To Be	Determined
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AB02

342. COMMUNITY FACILITY LOANS—TIMBER-DEPENDENT COMMUNITIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 7 CFR 1942 subpart A

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AB11

343. 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

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: Local

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120

RIN: 0572-AB14

344. 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

Agency Contact: F. Lamont Heppe, Jr.
Phone: 202 720-9550
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RIN: 0572-AB15

345. SPECIAL EQUIPMENT CONTRACT (INCLUDING INSTALLATION)

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1755.397

USDA—RUS

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	02/20/98	63 FR 8582
NPRM Comment Period End	04/21/98	
SNPRM	07/06/98	63 FR 36377
SNPRM Comment Period End	09/04/98	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB35

346. RUS APPROVAL OF ADDITIONS AND EXTENSIONS TO ELECTRIC PLANTS

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.

CFR Citation: 7 CFR 1717.603

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB38

347. 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.

CFR Citation: 7 CFR 1755

Timetable:

Action	Date	FR Cite
ANPRM	09/16/98	63 FR 49504
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

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RIN: 0572-AB41

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Rural Utilities Service (RUS)

348. LOAN SECURITY DOCUMENT—TELECOMMUNICATIONS 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.

CFR Citation: 7 CFR 1744

Completed:

Reason	Date	FR Cite
Withdrawn	02/19/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

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RIN: 0572-AA30

the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 7 CFR 1785; 7 CFR 1786 A

Completed:

Reason	Date	FR Cite
Withdrawn	02/17/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

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Fax: 202 720-4120

RIN: 0572-AA65

Completed:

Reason	Date	FR Cite
Final Action	01/04/99	64 FR 1
Final Action Effective	01/04/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe, Jr.

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AA86

351. ENVIRONMENTAL POLICIES AND PROCEDURES

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.

CFR Citation: 7 CFR 1794

Completed:

Reason	Date	FR Cite
Final Action	12/11/98	63 FR 68648
Final Action Effective	12/11/98	

349. LOAN ACCOUNT COMPUTATIONS, POLICIES, AND PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in

350. RUS FIDELITY AND INSURANCE REQUIREMENTS FOR ELECTRIC AND TELECOMMUNICATIONS BORROWERS

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.

CFR Citation: 7 CFR 1788

USDA—RUS

Completed Actions

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120**RIN:** 0572-AB33**352. ELECTRIC PROGRAM STANDARD CONTRACT FORMS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 7 CFR 1724; 7 CFR 1726**Completed:**

Reason	Date	FR Cite
Final Action	10/30/98	63 FR 58283
Final Action Effective	10/30/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe, Jr.
Phone: 202 720-9550
Fax: 202 720-4120**RIN:** 0572-AB42

BILLING CODE 3410-15-F

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Natural Resources Conservation Service (NRCS)

353. FORESTRY INCENTIVES PROGRAM**Priority:** Other Significant**Legal Authority:** 16 USC 2103**CFR Citation:** 7 CFR 635**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
ANPRM	04/00/99	
ANPRM Comment Period End	06/00/99	

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, P.O. Box 2890 Cotton Annex, Mezz 1, Washington, DC 20013

Phone: 202 720-0450

Fax: 202 720-3174

Email: peggy.willis@usda.gov

RIN: 0578-AA26

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Natural Resources Conservation Service (NRCS)

354. • 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
NPRM	06/00/99	
Interim Final Rule	11/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Peggy Willis, Regulatory Liaison, Department of Agriculture, Natural Resources Conservation Service, P.O. Box 2890, Cotton Annex Mezz 1, Washington, DC 20013

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RIN: 0578-AA27

DEPARTMENT OF AGRICULTURE (USDA)
Natural Resources Conservation Service (NRCS)

Final Rule Stage

355. 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
Final Action	09/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Peggy Willis, Regulatory Liaison, Department of

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 Fax: 202 690-3174
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RIN: 0578-AA17

356. 7 CFR PART 610 TECHNICAL ASSISTANCE

Priority: Other Significant

Legal Authority: PL 104-129

CFR Citation: 7 CFR 610

Legal Deadline: None

Abstract: Section 342 subtitle E of the Federal Agriculture Improvement and Reform Act of 1996 (FAIRA) expands the membership and roles of State Technical Committees set forth in section 1261 of subtitle G of the Food Security Act of 1985, as amended. Under these guidelines, the Secretary is required to establish a technical committee in each State to assist in making technical considerations relating to the implementation of conservation provisions. The Natural Resources Conservation Service (NRCS) uses these State Technical Committees in an advisory capacity. The rule will set forth the policies and procedures for the use of State Technical Committees by the United States Department of Agriculture, membership criteria, and the responsibilities assigned to these committees.

The NRCS has delivered the majority of the technical assistance provided to private landowners through the authorities provided in 7 CFR part

610.2. Section 610.2 has not yet been revised to provide for the responsibilities assigned to the NRCS beyond that of soil conservation. To more accurately reflect the broader mission of NRCS, particularly as it relates to technical assistance provided to private grazing land, section 610.2 is being amended to acknowledge that one of NRCS's missions is to improve the quality of all agricultural lands, including grazing land, pastureland, rangeland, forestland, and cropland so that the long-term sustainability of the resource base is achieved.

Timetable:

Action	Date	FR Cite
NPRM	12/04/97	
NPRM Comment Period End	01/23/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Additional Information: 0578-AA23 has been withdrawn and incorporated into this regulation.

Agency Contact: Peggy Willis, Regulatory Liaison, Department of Agriculture, Natural Resources Conservation Service, PO Box 2890, Cotton Annex Mezz 1, Washington, DC 20013
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RIN: 0578-AA22

BILLING CODE 3410-16-F

DEPARTMENT OF AGRICULTURE (USDA)
Office of Procurement and Property Management (OPPM)

Proposed Rule Stage

357. AGRICULTURE ACQUISITION REGULATION (AGAR); SIMPLIFIED ACQUISITION PROCEDURES

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 413; 48 CFR 453

Legal Deadline: None

Abstract: USDA is rewriting AGAR part 413, Simplified Acquisition Procedures. Federal Acquisition Regulation part 13, which AGAR part 413 supplements, was rewritten in

December 1997. USDA is reorganizing AGAR part 413 to reflect the revision of FAR part 13.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

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 no paperwork burden associated with this action.

Additional Information: USDA intends to issue the revision of AGAR part 413 as a direct final rule. The revision is routine and nonsubstantive.

Agency Contact: Joseph J. Daragan, Procurement Analyst, Department of Agriculture, Office of Procurement and Property Management, Room 1566

USDA—OPPM

Proposed Rule Stage

South Building, 14th and Independence Ave SW., Washington, DC 20250
 Phone: 202 720-5729
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 Email: joseph.daragan@usda.gov
 RIN: 0599-AA04

358. AGRICULTURE ACQUISITION REGULATION (AGAR); CONTRACTOR EMPLOYMENT OF MIGRANT AND SEASONAL AGRICULTURAL WORKERS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 422; 48 CFR 452

Legal Deadline: None

Abstract: USDA proposes to add clauses to the AGAR to inform offerors and contractors for forestry service contracts about immigration and labor laws applicable to employment of migrant and seasonal agricultural workers.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	
NPRM Comment Period End	09/00/99	

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, Room 1566 South Building, Washington, DC 20250
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RIN: 0599-AA05

359. • 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 proposed 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	05/00/99	
NPRM Comment Period End	07/00/99	

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, Room 1520, 1400 Independence Avenue SW., Washington, DC 20250
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 Fax: 202 720-3747
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RIN: 0599-AA06

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Office of Procurement and Property Management (OPPM)

360. NEW RESTRICTIONS ON LOBBYING

Priority: Routine and Frequent

CFR Citation: 7 CFR 3018

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6736
Next Action Undetermined		

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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RIN: 0599-AA03

[FR Doc. 99-7007 Filed 04-23-99; 8:45 am]

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