

## C. INDEX TO ENTRIES THAT MAY AFFECT SMALL ENTITIES WHEN A REGULATORY FLEXIBILITY ANALYSIS IS NOT REQUIRED

The Regulatory Flexibility Act (5 U.S.C. 601) requires that agencies publish regulatory agendas identifying those rules that may have a significant economic impact on a substantial number of small entities. Agencies meet that requirement by including the information in their submissions for The Regulatory Plan and the Unified Agenda. Some agencies have chosen to identify additional regulatory actions that may have some impact on small entities even though a Regulatory Flexibility Analysis may not be required.

The following index lists the regulatory actions in this publication for which agencies have chosen to indicate that some impact on small entities is likely even though a Regulatory Flexibility Analysis may not be required. The Sequence Number (Seq. No.) of the entry identifies the location of the entry in this edition. For further information, see the Regulatory Information Service Center's Introduction to The Regulatory Plan and the Unified Agenda in part II of this issue.

Small Businesses		Seq. No.	Title	Seq. No.	Title
Seq. No.	Title	398	Program To Assist U.S. Producers in Developing Domestic Markets for Value-Added Wheat Gluten and Wheat Starch Products	587	Amendment 13 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region
	<b>USDA</b>	411	Sale and Disposal of National Forest System Timber; Timber Export and Substitution Restrictions	590	Regulatory Amendment to Implement Permit Stacking in the Limited-Entry Fixed-Gear Sablefish Fishery in 2002 and Beyond
16	Elimination of Chilling Time and Temperature Requirements for Ready-To-Cook Poultry ( <b>Section 610 Review</b> )	440	Annual Renewal Fee	593	Amendment 2 to the Fishery Management Plan for the Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands
170	Changes in Fees for Federal Grading and Certification of Livestock for Chicago Mercantile Exchange Futures Deliveries		<b>DOC</b>	601	Full Retention of Demersal Shelf Rockfish in Gulf of Alaska Area 650
172	Revision of Regulations Governing the Inspection and Grading Service of Manufactured or Processed Dairy Products (DA-00-08)	490	Mandatory Automated Export System (AES) Filing for All Items on the Commerce Control List (CCL) and the United States Munitions List (USML)	609	Pacific Coast Groundfish Fishery; Announcement of the 2003 Groundfish Fishery Specifications and Management Measures
180	User fees for 2003 Crop Cotton Classification Services (CN-02-006)	493	Reporting Value on Shipper's Export Declaration for Inland Freight and Insurance Charges	655	Announcement of the Optimum Yield and Harvest Limit for Pacific Mackerel
185	Hass Avocado Promotion, Research, and Information Order (FV-01-705)	495	Notation of the Shipper's Export Declaration Filing Exemption Statement on Manifest Documents	661	Announcement of the Optimum Yield and Harvest Limit for Pacific Sardine
186	Mango Promotion, Research, and Information Order (FV-01-707)	531	Export Administration Regulations: Support Documentation	668	Capital Construction Fund Procedures
196	Revision of User Fees for 2002 Crop Cotton Classification Services	562	Fleet Capacity Control for U.S. Tuna Purse Seine Fisheries in the Eastern Pacific Ocean	670	Emergency Rule — Groundfish Fishery Management Measures for January Through February 2003
312	Livestock Purchase or Sale: Prohibit Non-Reporting of Price	563	Fleet Capacity Control for U.S. Troll Albacore Tuna Fishing in Canadian Waters	689	Amendment 10 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP)
314	Fees for Official Inspection and Official Weighing Services	574	Amendment 13 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan	691	Sea Turtle Conservation Regulations; Fishery Activities (TEDs)
317	Swine Packer Marketing Contracts	577	Amendment 9 to the Fishery Management Plan Amendment for the Pelagic Fisheries of the Western Pacific Region	702	Fishing Capacity Reduction Program
318	Exceptions to Geographic Areas for Official Agencies Under the USGSA	579	Regulatory Amendment Modifying the Gulf of Mexico BRD Protocol Under the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP)	706	Generic Amendment Addressing the Establishment of the Tortugas Marine Reserves Under the Fishery Management Plans of the Gulf of Mexico
339	WIC: Requirements for and Evaluation of WIC Program Requests for Bids for Infant Formula Rebate Contracts				
373	Reform of Regulations on Imported Meat and Poultry Products				
394	Reworking of Meat and Poultry Carcasses Accidentally Contaminated During Evisceration				

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707	Amendment 3 to the Fishery Management Plan for the Golden Crab Fishery Off the Southern Atlantic States (FMP)	924	Amendments to Quality Assurance and Administrative Provision for Approval of Respiratory Protective Devices	1052	Rural Health Clinics: Amendments to Participation Requirements and Payment Provisions, and Establishment of a Quality Assessment and Improvement Program (CMS-1910-F)
719	Imposing Additional Restrictions in the Hawaii-Based Longline Fishery	933	Blood Initiative	1053	Hospital Conditions of Participation: Laboratory Services (CMS-3014-F)
729	Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Oil and Gas Structure Removal Activities in the Gulf of Mexico	969	Investigational Use New Animal Drug Regulations ( <b>Section 610 Review</b> )	1054	Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21 (CMS-2065-F)
747	Processing Fee for Use of Paper Forms for Submission of Applications for Registration and Other Documents	970	Eligibility Determination for Donors of Human Cells, Tissues, and Cellular and Tissue-Based Products (HCT/Ps)	1056	Clinical Lab Requirements—Revisions to Regulations Implementing CLIA (CMS-2226-F)
750	Rights to Inventions Made by Non-profit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements	997	Criteria for Approval of Facilities to Perform Covered Heart, Liver, Lung, Pancreas, and Intestinal Transplants (CMS-3835-P)	1057	Fire Safety Requirements for RNHCI, ASC, Hospices, PACE, Hospitals, and Long-Term Care Facilities and ICFs for the Mentally Retarded (CMS-3047-F)
<b>DOD</b>		998	Hospice Care—Conditions of Participation (CMS-3844-P)	1061	Revised Process for Making Medicare Coverage Determinations (NCDs) (CMS-3062-N)
787	Exception for Acquisition of U.S.-Made End Products in Acquisitions Subject to the Trade Agreements Act (DFARS Case 2002-D008)	999	Requirements for Establishing and Maintaining Medicare Billing Privileges (CMS-6002-P)	1067	Requirements for Paid Feeding Assistants in Long-Term Care Facilities (CMS-2131-F)
792	Ocean Transportation by United States-Flag Vessels—Simplified Acquisition Threshold (DFARS Case 2000-D014)	1002	Medicare Hospice Care Amendments (CMS-1022-P)	1072	Electronic Submission of Cost Reports (CMS-1199-F)
<b>HHS</b>		1009	Medicare Inpatient Disproportionate Share Hospital (DSH) Adjustment Formula (CMS-1171-P)	1080	Update of the List of Covered Procedures for Ambulatory Surgical Centers Effective January 1, 2003 (CMS-1885-FC)
47	Health Insurance Reform: Claims Attachments Standards (CMS-0050-P)	1013	Update Interest Assessment on Medicare Overpayment and Underpayment (CMS-6014-P)	1082	Nondiscrimination in Health Coverage in the Group Market (CMS-2022-F)
48	Organ Procurement Organization Conditions for Coverage (CMS-3064-P)	1015	Payment for Respiratory Assist Devices with Bi-Level Capability and a Back-Up Rate (CMS-1167-P)	1085	Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships; Extension of Partial Delay of Effective Date of the "Set in Advance" Provision (CMS-1809-IFC2)
49	Use of Restraint and Seclusion in Medicare and Medicaid Participating Facilities that Provide Inpatient or Residential Care (CMS-2130-P)	1019	Provider Reimbursement Determinations and Appeals (CMS-1727-P)	1091	Non-Federal Governmental Plans Exempt From Health Insurance Portability Requirements (CMS-2033-F)
55	Revisions to Average Wholesale Price Methodology (CMS-1229-P)	1023	DMERC Service Areas and Related Matters (CMS-1219-P)	1095	Revisions to Transaction and Code Set Standards for Electronic Transactions (CMS-0005-P)
914	U.S. Exchange Visitor Programs; Request for Waiver of the Two-Year Foreign Residence Requirement	1024	Revisions to Conditions for Coverage for Ambulatory Surgical Centers (CMS-3887-P)	1099	Inpatient Rehabilitation Facility Prospective Payment System for FY 2003 (CMS-1205-N)
918	Amending the Regulations Governing Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, Sex, and Age To Conform to the Civil Rights Restoration Act of 1987	1027	Health Coverage Portability: Tolling Certain Time Periods and Interactions With Family and Medical Leave Act (CMS-2158-P)	1104	End-Stage Renal Disease—Rescission of Waiver of Conditions for Coverage Under a State of Emergency in Houston, Texas Area (CMS-3074-F2)
		1044	Home Health Agency (HHA) Conditions of Participation (CoPs) (CMS-3819-FC)	1107	Physician Fee Schedule for CY 2002: Correction Notice (CMS-1169-CN)
		1047	Appeals of Carrier Determination That a Supplier Fails To Meet the Requirements for Medicare Billing Privileges (CMS-6003-F)		
		1049	Coverage of Religious Non-Medical Health Care Institutions (CMS-1909-F)		
		1050	External Quality Review of Medicaid Managed Care Organizations (CMS-2015-F)		
		1051	Reporting Outcome and Assessment Information Set (OASIS) Data as Part of the Conditions of Participation for Home Health Agencies (CMS-3006-IFC)		

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1108	Notice of Modification of Beneficiary Assessment Requirements for Skilled Nursing Facilities (CMS-1209-N)	1650	Petitions for Aliens To Perform Temporary Nonagricultural Services or Labor (H-2B)	1920	DBE Airport Concessionaires Size Standards
1122	Technical Revision of Head Start Regulations To Make Them Conform to Recent Statutory Revisions	1740	Availability of Material Under Freedom of Information Act and Privacy Act	1924	Fees and Charges for Special Services: Reinvention
		1749	Delegation of the Adjudication of Certain H-2A Petitions to the Department of Labor	1928	Participation by Disadvantaged Business Enterprises in Department of Transportation Programs: Memorandum of Understanding With Small Business Administration; Uniform Forms and Other Revisions
		1754	Motor Vehicle Salvage Regulations	1938	Accessibility of Passenger Vessels to Individuals With Disabilities
	<b>HUD</b>		<b>DOL</b>	1955	Procedures for Compensation of Air Carriers
68	FHA Appraiser Watch Initiative (FR-4744)	83	Family and Medical Leave Act of 1993	1958	Procedures for Nonevidential Alcohol Screening Devices Procedures for Transportation Workplace Drug and Alcohol Programs
69	Appraiser Qualifications for Placement on FHA Single Family Appraiser Roster (FR-4620)	96	Asbestos Exposure Limit	1966	Private Charter Security Rules
1154	Lender Accountability for Appraisals (FR-4722)	98	Fire Protection in Shipyard Employment (Part 1915, Subpart P) (Shipyards: Fire Safety)	1971	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)
1167	Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs (FR-4615)	1777	Stock Options, Stock Appreciation Rights, and Bona Fide Employee Stock Purchase Programs Under the Fair Labor Standards Act	1973	Post Casualty Drug and Alcohol Testing (USCG-2001-8773)
1169	Amendments to the Section 203(k) Rehabilitation Loan Insurance Program (FR-4701)	1825	Criteria and Procedures for Proposed Assessment of Civil Penalties	1977	Marine Events: Permit Procedures (USCG-2001-10713)
		1837	Department of Labor Acquisition Regulations	1985	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (USCG-1998-4302)
	<b>DOI</b>	1861	Employer Payment for Personal Protective Equipment	1987	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (USCG-1998-4623)
1263	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act.		<b>STATE</b>	1989	Fire-Suppression Systems and Voyage Planning for Towing Vessels (USCG 2000-6931)
1267	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon	1880	Amendment to the U.S. Munitions List, Categories II, III, VII, XV, and XVII and Sections 123.20 and 123.27	1991	Deepwater Ports (USCG-1998-3884)
1275	Migratory Bird Permits; Regulations for Managing Double-Crested Cormorant Damages	1881	Amendment to the U.S. Munitions List, Categories V and XIV	1992	Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK (CGD17-99-002)
1286	2003-2004 Refuge Specific Hunting and Sport Fishing Regulations	1912	Amendment to the ITAR: Offset Arrangements and Enhancements to Congressional Notifications	1994	Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels (USCG-2000-6858)
1313	Policy on General Conservation Permits	1913	Amendment to the List of Proscribed Destinations	1997	Federal Requirements for Propeller Injury Avoidance Measures (USCG 2001-10163)
1410	2002-2003 Refuge-Specific Hunting and Sport Fishing Regulations	1914	Removal of Afghanistan From the Proscribed Destinations	2002	Traffic Separation Schemes: In the Strait Of Juan De Fuca and Its Approaches; In Puget Sound and Its Approaches; In Haro Strait, Boundary Pass, and in the Strait of Georgia (USCG-2002-12702)
		1915	Amendments to the U.S. Munitions List	2006	Discharge-Removal Equipment for Vessels Carrying Oil (CGD 90-068)
	<b>DOJ</b>		<b>DOT</b>	2007	Escort Vessels for Certain Tankers (CGD 91-202)
1563	Nondiscrimination on the Basis of Disability in State and Local Government Services; Public Accommodations and Commercial Facilities; Accessibility Standards; Recreation Facilities	103	Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil (USCG-1998-3417)		
1565	Nondiscrimination on the Basis of Disability in State or Local Government Facilities; Public Accommodations and Commercial Facilities; Accessibility Standards; Play Areas	108	Limitations on Issuance of Commercial Driver's License With Hazardous Materials Endorsement		
		109	Frontal Offset Protection		
		1917	Aviation Data Requirements Review and Modernization Program		
		1919	Drug and Alcohol Management Information System Reporting		

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2009	Regatta and Marine Parade Regulations	2192	Qualification of Drivers; Vision		
2010	Drawbridge Regulations	2193	Commercial Driver Physical Fitness as Part of the CDL Process	2221	Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States
2011	Escort Vessels in Certain U.S. Waters (CGD 91-202a)	2196	Safety Fitness Procedures		
2019	Improvements to Maritime Safety in Puget Sound-Area Waters (USCG-1998-4501)	2199	Hours of Service of Drivers; Supporting Documents	2222	General Requirements; Inspection, Repair, and Maintenance; Intermodal Container Chassis and Trailers
2020	Vessel Traffic Service Lower Mississippi River (USCG-1998-4399)	2200	Safety Fitness Procedures; Safety Ratings		
2023	Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486)	2201	Railroad-Highway Grade Crossing Safety	2223	Federal Motor Carrier Safety Regulations; Zero-Base Revision
2031	Emergency Response Plans for Passenger Vessels (USCG-1998-3473)	2203	Electronic Filing of Surety Bonds, Trust Fund Agreements, Insurance Certificates; Cancellations	2225	New Entrant Safety Assurance Process
2032	Safety of Uninspected Passenger Vessels Under the Passenger Vessel Safety Act of 1993 (USCG-1999-5040)	2204	Transportation of Household Goods; Consumer Protection Regulations ( <b>Rulemaking Resulting From a Section 610 Review</b> )	2228	Certification of Safety Auditors, Safety Investigators, and Safety Inspectors
2045	Objects Affecting Navigable Airspace	2205	Out-of-Service Criteria	2231	Development of a North American Standard for Protection Against Shifting and Falling Cargo
2046	Improved Water Survival Equipment	2206	Federal Motor Carrier Safety Regulations; Waivers, Exemptions, and Pilot Programs; Rules and Procedures	2236	Hazardous Material Route Plans
2048	Corrosion Control Program			2240	Motorcycle-Mounted Reflex Reflector Height
2049	National Air Tour Safety Standards	2207	Federal Motor Carrier Safety Regulations; Safety Requirements for Operators of Small Passenger-Carrying Commercial Motor Vehicles Used in Interstate Commerce	2243	Child Restraints for Older Children
2051	False and Misleading Statements Regarding Aircraft Parts			2244	Defect Reporting and Notification
2052	Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park	2209	Penalties, Inspection, and Decal Display Requirements for Mexico-Domiciled Motor Carriers	2246	Seating Systems Performance
2055	Revision of Air Carrier Crewmember and Training Regulations	2210	Commercial Driver's License Standards; Biometric Identifier	2248	Convex Cross-View Mirrors
2083	Fuel System Vent Fire Protection	2211	Commercial Learner Permits	2251	Metric Conversion—Phase III
2086	Revision of Part 108, Aircraft Operator Security	2212	Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials	2252	Upgrade Door Retention Performance
2087	Revision of Part 107, Airport Security			2253	Administrative Rewrite of the Lighting Requirements Other Than Headlamps
2088	Aging Aircraft Safety	2213	Minimum Training Requirements for Operators and Training Instructors of Multiple Trailer Combination Vehicles	2258	Special Purpose Vehicles
2089	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2214	Training for Entry-Level Drivers of Commercial Motor Vehicles	2259	Brake Hoses
2092	Overflights of Units of the National Park System	2215	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches	2260	Low-Speed Vehicle Performance Requirements
2134	Airworthiness Directives	2216	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2261	Headlamp Glare
2137	Drug Enforcement Assistance	2217	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units	2262	Stowable or Fold-Away Child Restraint Anchorages
2138	Type Certificates for Some Surplus Aircraft of the Armed Forces	2218	General Jurisdiction Over Freight Forwarder Service	2263	Motorcycle Headlamp System
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2144	Aircraft Engines: Fuel and Induction Systems			2267	Adaptation of Instrumented Lower Legs for Hybrid III Male and Female Adult Dummies
2145	Installation of Crashworthy Fuselage Fuel Tanks and Fuel Lines			2268	Voluntarily Installed Seat Belt Assembly Anchorages
2147	Aircraft Ground Deicing and Anti-Icing Program			2269	Idle Stop Technology Used in Some Hybrid Electric Vehicles
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2277	Heavier Hybrid III Type 6-Year-Old-Size Test Dummy	2338	Power Window Safety Switches	2419	Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards
2278	Allow Roll-Bar During Brake Testing	2339	Upgrade Roof Crashworthiness	2420	Hazardous Materials: Revisions to Incident Reporting Requirements and Detailed Hazardous Materials Incident Report DOT Form
2279	Child Restraint System Webbing Strength	2340	Hybrid III 95th Percentile Male	2421	Hazardous Materials: Air Carrier Emergency Telephone Number Requirements
2280	Motorcycle Brake Controls	2341	Placement of Wheelchair Restraints on Buses	2427	Hazardous Materials: Reduction of Registration Fees
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2291	Upgrade Fuel Integrity Performance Requirements	2345	Fifth Percentile Female Test Dummy	2436	Hazardous Materials: Revision of the Requirements for Hazardous Waste Manifests
2292	Alternative Geometric Visibility Requirements for Lamps	2348	Daytime Running Lamps Intensity Reduction Phase II	2438	DOT 3AL Aluminum Cylinders; Safety Problems
2293	Power-Operated Windows: Roof Panels	2350	Brake Lining	2439	Hazardous Materials: Revisions to Standards for Infectious Substances and Genetically Modified Microorganisms
2294	Door Latch Exemption for Vehicles Equipped With Wheelchair Lifts and Ramps	2352	Ejection Mitigation Using Advanced Glazing	2440	Hazardous Materials: Revised and Clarified Hazardous Materials Safety Rulemaking and Program Procedures
2296	Seat Belt Positioning Devices	2357	Prohibition of Sale or Lease of Equipment	2445	Hazardous Materials: Requirements for Maintenance, Requalification, and Repair of DOT Specification Cylinders
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2298	Administrative Rewrite for Headlamp Requirements	2360	Trailer Test Rig	2458	Air Carrier Traffic and Capacity Data by Nonstop Segment and On-Flight Market
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2311	Moving Barrier Tire Specification	2391	Bus Testing		
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2317	Seat Belt Fit	2400	Hazardous Materials: Revision of Requirements for Carriage by Aircraft	2509	Flavored Malt Beverages
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## TREAS

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2707	Reductions of Accruals and Allocations Because of Increased Age	135	National Primary Drinking Water Regulations: Stage 2 Disinfection Byproducts Rule	3177	Control of Methyl Tertiary Butyl Ether (MTBE)
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135	National Primary Drinking Water Regulations: Stage 2 Disinfection Byproducts Rule	3468	Test Procedures for the Analysis of Co-Planar and Mono-Ortho-Substituted Polychlorinated Biphenyls (PCBs) Under the Clean Water Act		<b>NEA</b>
3113	Utilization of Small, Minority and Women's Business Enterprises in Procurement Under Assistance Agreements	3480	Test Procedures for Analysis for Biological Contaminants under Clean Water Act	3636	Governmentwide Debarment and Suspension (Nonprocurement)
3122	Persistent, Bioaccumulative, and Toxic (PBT) Pollutants Strategy	3494	Test Procedures for the Analysis of Trace Metals Under the Clean Water Act	3637	Governmentwide Requirements for Drug-Free Workplace (Grants)
3177	Control of Methyl Tertiary Butyl Ether (MTBE)	3495	Test Procedures: Increased Method Flexibility for Test Procedures Approved for Clean Water Act Compliance Monitoring		<b>SSA</b>
3360	Pesticides; Data Requirements for Biochemical and Microbial Products			158	Administrative Wage Garnishment (To Repay a Debt Owed to the Social Security Administration) (724P)
3370	Plant-Incorporated Protectants (Formerly Plant Pesticides) Rulemakings			161	Representative Payment Under Titles II, VIII, and XVI of the Social Security Act (949P)
3384	TSCA Policy Statement on Oversight of Transgenic Organisms (Including Plants)				
3385	Lead; Management and Disposal of Lead-Based Paint Debris				