

- **Legal Deadline** -- an indication of whether the rule is subject to a statutory or judicial deadline and, if so, the date of that deadline.
- **Timetable** -- the dates and citations (if available) for all past stages and at least the next future stage of rulemaking. If a date appears in this section as 00/00/00, it means the date of the action is presently undetermined. Similarly, 10/00/88 means the agency can predict the month and year the action will take place, but not the date it will occur.
- **Effects on Small Businesses and Other Small Entities** -- indicates whether the rule is expected to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act (5 USC 601(6)).
- **Agency Contact** -- the name, title, address, and phone number of a person in the agency who is knowledgeable about the regulation.

Some agencies have provided other optional information at their discretion.

Data Limitations

Agencies prepared entries for this edition of the Unified Agenda to give the public notice of their plans to review, propose, and issue regulations. They have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Agenda does not create a legal obligation on agencies to adhere to schedules within it or to confine their regulatory activities to those regulations that appear in it. The information in this edition is accurate as of February 26, 1988, in the judgment of the submitting agencies, except as otherwise noted in individual agency preambles.

List of Abbreviations

The following abbreviations appear throughout this edition of the Agenda:

ANPRM -- An Advance Notice of Proposed Rulemaking is a preliminary notice that an agency is considering a regulatory action. The agency issues an ANPRM before it develops a detailed proposed rule. The ANPRM describes the general area that may be subject to regulation and usually asks for public

comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs gather more information before proceeding to a notice of proposed rulemaking.

CFR -- The Code of Federal Regulations is an annual codification of the general and permanent regulations published in the **Federal Register** by the departments and agencies of the Federal Government. The Code is divided into 50 titles and each title covers a broad area subject to Federal regulation. The CFR is keyed to and kept up-to-date by the daily issues of the **Federal Register**.

EO -- An Executive order is a directive from the President to an executive agency, issued under constitutional or statutory authority. Executive orders are published in the **Federal Register** and in Title 3 of the Code of Federal Regulations.

FR -- The **Federal Register** is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents issued by Federal departments and agencies.

FY -- The Federal fiscal year runs from October 1 to September 30.

NPRM -- A Notice of Proposed Rulemaking is the document an agency issues and publishes in the **Federal Register** that describes and solicits public comments on a proposed regulatory action. Under the Administrative Procedure Act, an NPRM must include, at a minimum:

- A statement of the time, place, and nature of the public rulemaking proceeding;
- A reference to the legal authority under which the rule is proposed; and
- Either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PL -- A Public Law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, as opposed to a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the two-year life of each Congress; for example, PL 97-17 would be the 17th public law of the 97th Congress.

RFA -- A Regulatory Flexibility Analysis (RFA) describes the impact of a proposed rule on small entities, as required by the Regulatory Flexibility Act (5 USC 601). An RFA describes why the agency is considering the action; the objectives of and legal basis for the proposed rule; an estimate of the number of small entities that could be affected and the compliance requirements they would have to fulfill; any other duplicative, overlapping, or conflicting Federal rules; and alternatives to the proposed action. When required, an initial RFA accompanies an NPRM and a final RFA accompanies a final rule.

RIA -- A Regulatory Impact Analysis is required by EO 12291 for all major rules and other regulations designated by the Office of Management and Budget. An RIA is prepared to determine whether a proposed regulatory action meets the requirements of section 2 of EO 12291, namely that it:

- Be based on adequate information concerning the need for and consequences of the action;
- Not be undertaken unless the potential benefits outweigh the potential costs to society;
- Maximize net benefits to society;
- Entail the least net cost to society of the alternatives considered; and
- Take into account the condition of particular affected industries, the national economy, and contemplated future regulatory actions.

RIN -- The Regulation Identifier Number is assigned by the Regulatory Information Service Center to identify each regulatory action listed in the Agenda.

USC -- The United States Code is a consolidation and codification of all general and permanent laws of the United States. The USC is divided into 50 titles and each title covers a broad area of Federal law.

Information About Additional Copies

Additional copies of this edition of the **Federal Register** are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783-3238.

Copies of individual agency agendas may be available directly from the agency. Please contact the particular agency for further information.

[FR Doc. 88-7958 Filed 04-22-88; 8:45 am]

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Department of Agriculture Federal Register

Monday
April 25, 1988

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;
Spring 1988

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of major and non-major regulations being developed in agencies of the U.S. Department of Agriculture in conformance with Executive Order 12291, Federal Regulation. The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Pub. L. 96-354.

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.

ADDRESSES: 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 147-E, U.S. Department of Agriculture, Washington, DC 20250, (202) 382-1272.

Dated: February 26, 1988.

Jacquelyn C. Patterson,

Acting Chief, Regulatory & Legislative Staff.

Agricultural Marketing Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1	Fees for Service for Voluntary and Mandatory Programs.....	0581-AA19

Agricultural Stabilization and Conservation Service—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
2	1988-Crop Honey Price Support Program.....	0560-AB04
3	1988 Wool and Mohair Program.....	0560-AB05
4	1989 Wheat Program.....	0560-AB14
5	Common Program Provisions for the 1989 Wheat, Feed Grain, Cotton and Rice Programs.....	0560-AB17
6	CCC Cotton Loan Program Regulations--Settlement, Fraud, and Conversion Provisions.....	0560-AB22

Agricultural Stabilization and Conservation Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
7	Commodity Credit Corporation (CCC) Claims Regulations.....	0560-AA38
8	National Average Loan Rates for 1987-Crop Quota and Additional Peanuts.....	0560-AA61
9	1988 Price Support Levels for Five Kinds of Tobacco.....	0560-AB12
10	1989-Crop Peanuts National Poundage Quota.....	0560-AB13
11	1989 Feed Grain Program.....	0560-AB15
12	1989 Upland Cotton Program.....	0560-AB16
13	1988 Soybean Loan Program.....	0560-AB18
14	1989 Extra Long Staple (ELS) Cotton Program.....	0560-AB25
15	1989 Price Support Levels for Six Kinds of Tobacco.....	0560-AB32
16	1989-Crop National Average Price Support Level for Quota Peanuts.....	0560-AB36
17	1989-Crop Honey Price Support Program.....	0560-AB37
18	Common Program Provisions for the 1990 Wheat, Feed Grain, Cotton and Rice Programs.....	0560-AB38
19	1989 Rice Program.....	0560-AB39
20	1990 Wheat Program.....	0560-AB41

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Agricultural Stabilization and Conservation Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
21	Price Support Loan Program for 1986 Through 1990-Crops Sugar Beets and Sugarcane	0560-AA74
22	1987-Crop Peanuts National Poundage Quota	0560-AA79
23	Common Program Provisions for the 1988 Wheat, Feed Grains, Cotton and Rice Programs	0560-AA89
24	1988 Rice Program	0560-AA90
25	1988 Wheat Program	0560-AA91
26	1988 Feed Grain Program	0560-AA92
27	1988 Upland Cotton Program	0560-AA93
28	1988-Crop Flue-Cured Tobacco Marketing Quotas	0560-AA98
29	1988 Extra Long Staple (ELS) Cotton Program	0560-AA99
30	1988-Crop Burley Tobacco Marketing Quotas and Price Support Level	0560-AB06
31	1988-Crop Marketing Quotas and Acreage Allotments for Five Kinds of Tobacco	0560-AB07
32	1988-Crop Peanut Price Support Program Differentials	0560-AB08
33	1988-Crop Sugar Beet and Sugarcane Price Support Loan Rates	0560-AB19
34	1989 Wool and Mohair Program	0560-AB20
35	1988 CCC Cotton Loan Program Regulations—Bale Packaging Materials	0560-AB21
36	General Regulations Governing Price Support of 1986 and Subsequent Crops of Grain	0560-AB23
37	Waiver of Standards for Approved Warehouses	0560-AB24
38	Dairy Indemnity Payment Program—January 1, 1988 - September 30, 1990	0560-AB30
39	1989-Crop Peanut Price Support Program Differentials	0560-AB31
40	1989-Crop National Average Loan Rate and Minimum CCC Export Edible Sales Price for Additional Peanuts	0560-AB33
41	1989-Crop Burley Tobacco Marketing Quotas and Price Support Level	0560-AB34
42	1989-Crop Flue-cured Tobacco Marketing Quota and Price Support Level	0560-AB35
43	Milk Price Support Level, Calendar Year 1989	0560-AB40
44	Burley Tobacco Price Support Restrictions for Nonbaled Tobacco and Nonstandard Containers	0560-AB42

Agricultural Stabilization and Conservation Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
45	1987 Feed Grain Program	0560-AA59
46	1987 Extra Long Staple (ELS) Cotton Program	0560-AA60
47	1987 Upland Cotton Program	0560-AA64
48	1987 Rice Program	0560-AA72
49	1987-Crop Honey Price Support Program	0560-AA73
50	1987 Wheat Program	0560-AA82
51	Highly Erodible Land and Wetland Conservation Programs	0560-AA88
52	Common Program Provisions for the 1987 Wheat, Feed Grains, Cotton and Rice Programs	0560-AA94
53	1987 Soybean Loan Program	0560-AA95
54	1987 Price Support Levels for Six Kinds of Tobacco	0560-AA97
55	1987-Crop Sugar Beets and Sugarcane Price Support Loan Rates	0560-AB01
56	Milk Price Support Level, Calendar Year 1988	0560-AB02
57	Milk Price Support Level, October 1, 1987, through December 31, 1990	0560-AB03

Animal and Plant Health Inspection Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
58	Importation of Fruits and Vegetables Under Assured Certification Agreements	0579-AA17
59	Swine Identification	0579-AA19
60	Animal Welfare Regulations; Standards	0579-AA20

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Animal and Plant Health Inspection Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
61	Animal Welfare; Definition of Terms and Regulations	0579-AA18

Cooperative State Research Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
62	Guidelines for Biotechnology Research in Agricultural Field Plots	0524-AA00

Farmers Home Administration—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
63	Planning and Performing Construction and Other Development.....	0575-AA36
64	Security Servicing for Multiple Housing Loans	0575-AA38
65	Analyzing Credit Needs and Graduation of Borrowers	0575-AA40
66	Complaints and Compensation for Construction Defects	0575-AA41
67	Rural Development Loan Fund Relending Program	0575-AA43
68	Supplemental Requirements for Making Section 502 RH Loans for Manufactured Homes.....	0575-AA46

Farmers Home Administration—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
69	Suspension and Debarment Regulations	0575-AA02
70	Recapture of Section 502 Rural Housing Subsidy	0575-AA29
71	Self-Help Technical Assistance Grants	0575-AA34
72	Section 502 Rural Housing Loan Policies, Procedures, and Authorizations	0575-AA35
73	Section 504 Rural Housing Loans and Grants	0575-AA37
74	Management and Collection of Nonprogram (NP) Loans	0575-AA39
75	Rural Housing Program Loans	0575-AA48
76	Management and Supervision of Multiple Family Housing Borrowers and Grant Recipients.....	0575-AA49
77	Real Property Insurance	0575-AA53
78	Security servicing for Single Family Rural Housing Loans	0575-AA54
79	Borrower Supervision Servicing and Collection of Single Family Housing Loan Accounts.....	0575-AA55
80	Changes to the Farmers Home Administration (FmHA) Farmer Program Loan Making, Supervision and Servicing Regulations to Implement Applicable Provisions of "The Agricultural Credit Act of 1987".....	0575-AA56

Farmers Home Administration—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
81	Changes to the FmHA Farmer Program Loan Making, Supervision and Servicing Regulations to Implement the Applicable Provisions of the "Food Security Act of 1985"	0575-AA23
82	Rural Rental Housing Policies, Procedures and Authorizations	0575-AA28
83	Borrower Supervision Servicing and Collection of Single Family Housing Loan Accounts.....	0575-AA42
84	Debt Settlement - Community and Business Programs	0575-AA44
85	Management and Supervision of Multiple Family Housing Borrowers and Grant Recipients.....	0575-AA50
86	Security Servicing for Multiple Housing Loans	0575-AA51

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Farmers Home Administration—Final Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
87	Predetermined Amortization Schedule System (PASS) Account Servicing	0575-AA52

Farmers Home Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
88	Restricting Insured and Guaranteed Farm Ownership and Operating Loans when Surplus Items Exist.....	0575-AA12
89	FmHA Guarantees of Commercial Lender's Farm Ownership (FO) and Operating Loans (OL) with Accompanying Lender Principal Write Down and/or Interest Rate Reduction	0575-AA22
90	Section 502 Rural Housing Loan Policies, Procedures, and Authorizations.....	0575-AA24
91	General Revision of Farmer Program Regulations.....	0575-AA27
92	Distressed Former Continuation Amendments to FmHA Farmer Program Loan Making, Supervision and Servicing Regulations.....	0575-AA45

Food and Nutrition Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
93	Waiver Simplification: Food Stamp Program.....	0584-AA02

Food and Nutrition Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
94	Issuance Loss Liability: Food Stamp Program.....	0584-AA05
95	Food Distribution Program - Part 250	0584-AA07
96	Food Distribution Program on Indian Reservations.....	0584-AA09
97	Emergency Food Assistance for Victims of Disasters.....	0584-AA24
98	Conformance with Aid to Families with Dependent Children (AFDC) Rules: Food Stamp Program	0584-AA52
99	Simplified Application and Standardized Benefits: Food Stamp Program.....	0584-AA62
100	Administration/Management: Food Stamp Program.....	0584-AA63

Food and Nutrition Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
101	Quality Control Arbitration Procedures: Food Stamp Program	0584-AA46
102	Special Supplemental Food Program for Women, Infants and Children: Administrative Funding Formula	0584-AA70

Food Safety and Inspection Service—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
103	Administrative Regulations	0583-AA02
104	Transportation.....	0583-AA19

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Food Safety and Inspection Service—Prerule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
105	Eligibility of Foreign Countries for Importation of Products into the United States.....	0583-AA55

Food Safety and Inspection Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
106	Swine Identification at Official Slaughtering Establishments.....	0583-AA25
107	Various Amendments to Accommodate Inspection of Meat Food Products Under Title IV of the Futures Trading Act of 1986.....	
108	Requirements for Partially Defatted Products.....	0583-AA26
109	Control of Salmonella and Other Enteric Bacteria in Meat and Poultry Processing.....	0583-AA27
110	Verified Production Control Program.....	0583-AA28
111	Sulfonamides in Swine.....	0583-AA29
112	Use and Labeling of Blood Components as Ingredients in Meat Food Products.....	0583-AA31
113	Use of Lactic Acid and Acetic Acid as Anti-Microbial Agents on Meat and Poultry Carcasses.....	0583-AA33
114	Glucono Delta Lactone as an Acidifier in Meat and Poultry Products.....	0583-AA42
115	Requirements for Foreign Country Import Certification and Live Animal Importation.....	0583-AA43
116	Trichina Control Requirements for Dry-Cured Ham.....	0583-AA46
117	Movement of Imported Product Prior to Reinspection.....	0583-AA47
118	Use and Protection of Approved Water Systems.....	0583-AA49
119	Sulfonamide and Antibiotic Residues in Young Veal Calves; Certification Requirements.....	0583-AA53
120	Requirements for Foreign Country Certification and Live Animal Importation.....	0583-AA54
121	Voluntary Inspection of Exotic Animals.....	0583-AA58
122	Implementation of Pork Irradiation.....	0583-AA59
123	Certain Products with Meat Ingredients -- Exemptions From Definition of a "Meat Food Product".....	0583-AA60
124	Use of Certain Binders in Meat and Poultry Products and Transfer of Binders in Text to the Tables of Approved Substances.....	0583-AA61
125	Immersion Cured and Dry Cured Bacon.....	0583-AA62
126	Control of Added Substances and Labeling Requirements for Turkey Ham Products.....	0583-AA64
127	Additional Trichina Detection Methods.....	0583-AA65
128	Net Weight.....	0583-AA66
129	Additional Trichina Detection Methods.....	0583-AA67
130	Labeling of Meat Food Products That Contain Mechanically Separated (Species) Under Certain Circumstances.....	0583-AA69

Food Safety and Inspection Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
131	Standard for Frankfurters and Similar Cooked Sausages.....	0583-AA21
132	Determination of Added Water in Cooked Sausages.....	0583-AA30
133	Cattle Post - Mortem Inspection Procedures and Staffing Procedures.....	0583-AA32
134	Disposal of Livestock Carcasses and Parts Condemned for Biological Residues.....	0583-AA33
135	Binder Consisting of Sodium Alginate, Calcium Carbonate, Lactic Acid, and Calcium Lactate.....	0583-AA34
136	Elimination of Sealing Requirement for Rendered Edible Animal Fat.....	0583-AA36
137	Random Weight Packages; Statement of Net Weight Decimal Places.....	0583-AA37
138	Streamlined Inspection System for Broilers and Cornish Game Hens.....	0583-AA38
139	Ascorbic Acid, Erythorbic Acid, Citric Acid, Sodium Ascorbic, and Sodium Citrate in Fresh Pork Cuts.....	0583-AA40
140	Determination of "Added Water" in Cooked Sausages.....	0583-AA41
141	Ingredients that may be Identified as Flavors or Natural Flavors when used in Meat and Poultry Products.....	0583-AA44
142	Safety and Sanitation Requirements for Electrical Stimulating Equipment.....	0583-AA45
143	Use of Air for Carcass Hide Removal.....	0583-AA48
144	Antioxidants in Fabricated Steaks.....	0583-AA50
145	Notice of Proceedings.....	0583-AA51
146	Requirements for Imported Poultry Products.....	0583-AA52
147	Total Quality Control for Labeling.....	0583-AA63
148	Sulfonamide and Antibiotic Residues in Young Veal Calves; Reduced Testing.....	0583-AA68

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Food Safety and Inspection Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
149	Identification Service for Poultry.....	0583-AA35
150	Swine Identification and Record Keeping at Markets and at Official Slaughtering Establishments.....	0583-AA39
151	Facility and Equipment Requirements for the Streamlined Inspection System for Broilers and Cornish Game Hens.....	0583-AA56

Foreign Agricultural Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
152	Determination of the Market Stabilization Price for Sugar for FY 1988.....	0551-AA20
153	Determination of Import Quotas on Sugar for Fiscal Year 1988.....	0551-AA21
154	Types and Quantities of Agricultural Commodities Available for Donation Overseas Under Section 416(b) of the Agricultural Act of 1949 for Each Fiscal Year.....	0551-AA23

Forest Service—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
155	Part 219 Planning.....	0596-AA50
156	Official Forest Service Insignia.....	0596-AA59
157	36 CFR 262 Law Enforcement Support Activities.....	0596-AA65
158	36 CFR 271 - Use of "Smokey Bear" Symbol.....	0596-AA66
159	Whiskeytown-Shasta-Trinity National Recreation Area.....	0596-AA68
160	36 CFR 261 Prohibitions.....	0596-AA75
161	Use of "Woodsy Owl" Symbol.....	0596-AA76
162	36 CFR 241 Wildlife: Cooperation in Wildlife Protection, Wildlife Management and Federal Refuge Regulations.....	0596-AA81
163	Isolated Cabin Authorizations.....	0596-AA85

Forest Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
164	Access to Non-Federal Lands.....	0596-AA31
165	Grazing and Livestock Use and Management of Wild, Free-Roaming Horses and Burros.....	0596-AA35
166	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations.....	0596-AA36
167	Modify the General Prohibition Against Use of Vehicles in Excess of 40 Inches in Width on Trails.....	0596-AA38
168	Revise the Definition of "Mechanical Transport" at 36 CFR 293.6(a).....	0596-AA39
169	Conservation of Fish, Wildlife, and their Habitats on the Copper/River Addition and Copper River-Bering River Portion, Chugach National Forest, Alaska.....	0596-AA41
170	Land Exchanges.....	0596-AA42
171	Definition of Common Variety Mineral Materials.....	0596-AA44
172	Revision of Timber Sale Contract Forms FS-2400-6 and FS-2400-6T.....	0596-AA45
173	Leasable Mineral Regulations.....	0596-AA46
174	Application Procedures and Fees for Hydroelectric Uses on National Forest System Lands.....	0596-AA47
175	Locatable Minerals.....	0596-AA49
176	Appeal of Decisions of Forest Officers.....	0596-AA51
177	Grazing Fees; Eastern and Southern Regions.....	0596-AA55
178	Ski Area Term Permits.....	0596-AA57
179	Free Use to Alaskan Settlers, Miners, Residents and Prospectors.....	0596-AA69
180	Increase in Minimum Rates Charged for Timber.....	0596-AA73
181	Sale of Timber where Total Public Benefits May not Meet or May Exceed Total Costs.....	0596-AA74
182	Administration of Easements for Water Conveyance Systems.....	0596-AA78
183	Revise Small Tracts Act Regulations.....	0596-AA79

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Forest Service—Proposed Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
184	Oil and Gas Resources Regulations.....	0596-AA82
185	Modification of Timber Sale Downpayment Requirements.....	0596-AA83
186	Lumber Price Index Trends.....	0596-AA86
187	Timber Sale Financial Security.....	0596-AA87

Forest Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
188	Entrance into Petersburg Watershed.....	0596-AA23
189	Land Status and Title Records.....	0596-AA24
190	Periodic Payments, Downpayments, and Market Related Contract Additions.....	0596-AA33
191	Use Restrictions of National Forest Lands for the Protection of Municipal Water Supplies.....	0596-AA34
192	Control of Skewed Bidding on National Forest Timber Sales.....	0596-AA37
193	Small Business Timber Sale Set Aside Program.....	0596-AA43
194	Indian Allotments on National Forest System Lands.....	0596-AA52
195	Prohibitions; Fossil Collecting.....	0596-AA56
196	Non-Competitive Disposal of Mineral Materials.....	0596-AA60
197	Increased Downpayments From Timber Sale Purchasers with a History of Defaults; and Determination of Purchaser Responsibility.....	0596-AA70
198	Revise 36 CFR 223.178 Regarding Release of Claims Against the Government on Sales Offered for Government Buyout.....	0596-AA71
199	Review of Decisions to Terminate Recreation Residence Permits.....	0596-AA72
200	Revise rules governing special uses of National Forest System lands and resources at 36 CFR 251, Subpart B to remove ambiguities regarding first amendment rights.....	0596-AA80
201	Appeal of Decisions to Reoffer Returned or Defaulted Timber Sales on National Forests.....	0596-AA84

Forest Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
202	Suspension and Debarment of Timber Sale Contractors.....	0596-AA09
203	Create a New Subpart C to 36 CFR 264 Entitled National Scenic and Historic Trail Symbols.....	0596-AA54
204	36 CFR Part 222, Subpart C - Grazing Fees.....	0596-AA77

Packers and Stockyards Administration—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
205	Annual Reports.....	0590-AA04
206	Scales; Accurate Weights, Repairs, Adjustments or Replacements after Inspection.....	0590-AA05

Soil Conservation Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
207	Snow Surveys and Water Supply Forecasts.....	0578-AA01
208	Relocation Assistance.....	0578-AA12

USDA

Soil Conservation Service—Proposed Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
209	Procedures for the Protection of Archeological and Historical Properties Encountered in SCS-Assisted Programs	0578-AA13

Soil Conservation Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
210	Soil Surveys	0578-AA00
211	Prime and Unique Farmlands	0578-AA10
212	Farmland Protection Policy Act	0578-AA14

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Agricultural Marketing Service (AMS)

1. FEES FOR SERVICE FOR
VOLUNTARY AND MANDATORY
PROGRAMS

Legal Authority: 7 USC 1621 to 1627; Agricultural Marketing Act of 1946; 21 USC 1031 to 1056; Egg Products Inspection Act; 7 USC 51 et seq Cotton Standards Act

CFR Citation: 7 CFR 26 to 209

Legal Deadline: None.

Abstract: Fees for the voluntary inspection, grading and classing of

agricultural commodities and certain mandatory inspection rates are reviewed periodically and changes are made to reflect cost of providing the service. (AMS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Tilli Fox, Reg. Review Staff, MRD, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA19

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Agricultural Stabilization and Conservation Service (ASCS)

2. 1988-CROP HONEY PRICE
SUPPORT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446(b); The Agricultural Act of 1949, as amended, Sec. 201(b)

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Legal Deadline: None.

Abstract: Legislation requires that 1988-crop honey be supported at 95 percent of the 1987 level, or \$0.5985 per pound. It also provides the Secretary the discretion to allow loan repayment at a lower rate. The objective of a lower repayment rate is to (1) minimize loan forfeitures, (2) avoid excessive stocks, (3) reduce Federal storage costs, and (4) maintain the competitiveness of honey in domestic and export markets.

Alternatives to be considered are: the type of support to offer, whether loans, purchases, or loans and purchases, and whether to implement the lower repayment provision. Government costs under the lower repayment provision would be expected to be under \$60 million.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S,

P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB04

3. 1988 WOOL AND MOHAIR
PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1782 et seq; National Wool Act of 1954, as amended by; PL 99-198, Sec 201 The Food Security Act of 1985

CFR Citation: 7 CFR 1468; 7 CFR 1472

Legal Deadline: None.

Abstract: This action will encourage the continued domestic production of wool at prices fair to both producers and consumers in a manner that will ensure a viable domestic wool industry.

USDA—ASCS

Prerule Stage

by supporting the prices of wool and mohair by means of loans, purchases, payments, or other operations. The support level for wool is determined by statutory formula. The support level for mohair must be set at a level not more than 15 percent above, or below the comparable percentage of parity at which shorn wool is supported. The expected cost to Government will be between \$100 and \$200 million.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined		
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Small Entity: Not Applicable		
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Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB05

4. 1989 WHEAT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1445b-3; 7 USC 1710; The Agricultural Adjustment Act of 1949, Sec 107D and 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796

Legal Deadline: Statutory, June 1, 1988. (For announcement of acreage adjustment levels)

Abstract: To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Determinations are to be made on (1) loan and purchase rate--minimum probable range of \$2.06 to \$2.57 per bushel, (2) target price--at least \$4.16 per bushel, and (3) acreage adjustment--not less than 20% nor more than 30%, if carryin exceeds 1 billion bushels; no

more than 20% if carryin is below 1 billion bushels. Decisions also to be made on whether to implement (1) a marketing loan program and related programs, (2) a paid land diversion, and (3) incentives for farmers to participate in the FOR. The expected cost is \$2.0-\$5.0 billion. (ASCS 87-021)

Timetable:

Action	Date	FR Cite
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Next Action Undetermined		
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Small Entity: Not Applicable		
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Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB14

5. COMMON PROGRAM PROVISIONS FOR THE 1989 WHEAT, FEED GRAIN, COTTON AND RICE PROGRAMS

Significance: Agency Priority

Legal Authority: 7 USC 1421 et seq; The Agricultural Act of 1949, as amended, Sec 107d

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: None.

Abstract: To make and implement determinations that are common to each of the 1989 Wheat, Feed Grain, Cotton and Rice Programs. Determinations are to be made on (1) production of approved non-program crops on underplanted program crop permitted acreage (50/92 provision), (2) production of alternative crops on reduced acreage, (3) haying and grazing of 50/92 and ACR conservation use acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of 10 percent of a farm's acreage base between program commodity acreage bases, (8) consideration of actual 1989-crop yields

in establishing a subsequent year's program payment yield, (9) advance deficiency and diversion payments, (10) interest certificate payments, and (11) provisions for commodity payment certificates. (ASCS 87-024)

Timetable:

Action	Date	FR Cite
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Next Action Undetermined		
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Small Entity: Not Applicable		
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Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB17

6. CCC COTTON LOAN PROGRAM REGULATIONS--SETTLEMENT, FRAUD, AND CONVERSION PROVISIONS

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1427

Legal Deadline: None.

Abstract: This action will update regulations to (1) clarify settlement provisions and (2) incorporate fraud or conversion language in order to make the regulations for cotton consistent with those for grain. No cost to Government is expected. (ASCS 87-015)

Timetable:

Action	Date	FR Cite
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Next Action Undetermined		
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Small Entity: Not Applicable		
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Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB22

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Agricultural Stabilization and Conservation Service (ASCS)

7. COMMODITY CREDIT CORPORATION (CCC) CLAIMS REGULATIONS

Legal Authority: 15 USC 714(k) Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1403

Legal Deadline: None.

Abstract: Regulations will revise policy, authorities, procedures, and responsibilities for settling claims by and against CCC. (ASCS 84-034)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA38

8. NATIONAL AVERAGE LOAN RATES FOR 1987-CROP QUOTA AND ADDITIONAL PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445c-2; 7 USC 1423; Ag Act of 1949, Sec. 108B

CFR Citation: Not applicable

Legal Deadline: Statutory, February 15, 1987.

Abstract: This action is required by legislation, which provides a formula for computing the quota support level and guidelines for determining the additional support level. The objective is to support farm income and stabilize prices. (ASCS 86-031)

Timetable:

Action	Date	FR Cite
NPRM	01/26/87	52 FR 2796
Announcement	02/13/87	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA61

9. 1988 PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO

Legal Authority: 7 USC 1445; The Agricultural Act of 1949, as amended, Sec 106

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: To stabilize tobacco prices and comply with statutory requirements, price support levels are set by statutory formula, based on a prices paid index. The Secretary may lower price support at the request of producer associations. Increases may be limited to 65% of the increase otherwise established. A net receipt of \$3.6 million is expected. (ASCS 87-019)

Timetable:

Action	Date	FR Cite
NPRM	05/13/88	
Final Action	09/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB12

10. 1989-CROP PEANUTS NATIONAL POUNDAGE QUOTA

Significance: Agency Priority

Legal Authority: 7 USC 1358; The Agricultural Act of 1938, as amended, Sec 358

CFR Citation: 00 CFR None

Legal Deadline: Statutory, December 15, 1988. (For announcement of national poundage quota only)

Abstract: To balance supply with demand at levels that assure stable supplies for domestic use and assure producers a reasonable income.

This action is required by legislation, which provides a formula for computing the national poundage quota. The quota must equal the amount estimated to be devoted to domestic edible, seed, and related uses and may not be less than 1.1 million tons. The expected cost is \$1 million. (ASCS 87-020)

Timetable:

Action	Date	FR Cite
NPRM	09/14/88	
Final Action	12/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB13

11. 1989 FEED GRAIN PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1444e; 7 USC 1421; The Agricultural Act of 1949, as amended, Sec 105c; 7 USC 1710; The Agricultural Adjustment Act of 1949, as amended, Sec 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718 to 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.720 to 1421.734

Legal Deadline: Statutory, September 30, 1988. (For announcement of acreage adjustment levels)

Abstract: To provide an adequate feed grain supply for domestic and foreign utilization, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rates--probable range of \$1.65 - \$2.06/bu. for corn, with rates for other feed grains set in relation to that for corn, (2) target prices--not less than \$2.88 per bushel for corn, with rates for other feed grains set in relation to that for corn, and (3) acreage adjustment--not less than 12.5% nor more than 20%, if corn carryin exceeds 2 billion bushels; no more than 12.5% if corn carryin is less than 2 billion bushels. Decisions also to be made on whether to implement (1) a paid land diversion, (2) a marketing loan, (3) a half-compliance program, (4) incentives for farmers to participate in the FOR, and (5) price support for corn silage. The expected cost is \$8.0 to \$12.0 billion. (ASCS 87-022)

Timetable:

Action	Date	FR Cite
NPRM	07/15/88	
Final Action	09/30/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S,

USDA—ASCS

Proposed Rule Stage

PO Box 2415, Washington, DC 20013,
202 475-4636

RIN: 0560-AB15

12. 1989 UPLAND COTTON PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1444-1; The Agricultural Adjustment Act of 1949, as amended, Sec 103A

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427

Legal Deadline: Statutory, November 1, 1988. (For announcement of loan rate, acreage adjustment level, and national program acreage)

Abstract: To assure sufficient supplies of upland cotton for domestic and export use, maintain adequate carryover stocks, support farm income, combat inflation, hold down Federal costs, and comply with statutory requirements.

Determinations must be made on (1) the loan rate—not less than 50.00 cents/lb, (2) the target price—not less than 74.5 cents/lb, (3) the loan repayment rate—if the world price is below the loan rate, repayment rate may be set by 1 of 2 options: (Plan A or Plan B, Sec. 103A (a(5))), (4) acreage limitation—no greater than 25%, (5) the national program acreage—not less than 10 million acres, (6) other provisions: whether or not to implement voluntary paid land diversion, loan deficiency payment, inventory reduction, or seed cotton loan programs. The expected cost is \$250 - \$500 million. (ASCS 87-023)

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
Final Action	10/31/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB16

13. 1988 SOYBEAN LOAN PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446; The Agricultural Act of 1949, as amended, Sec 201

CFR Citation: 7 CFR 1421

Legal Deadline: Statutory, October 1, 1988. (For announcement of loan rate)

Abstract: To assure sufficient supplies for domestic and export use, support farm income, combat inflation, hold down Federal costs, and comply with statutory requirements.

Determinations are to be made on the loan and purchase rate, with a probable range of \$4.77 to \$4.53/bu., and on whether to implement a marketing loan program. The expected cost is \$0.1 - \$0.6 billion. (ASCS 87-025)

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
Final Action	09/30/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB18

14. 1989 EXTRA LONG STAPLE (ELS) COTTON PROGRAM

Legal Authority: 7 USC 1444(h); The Agricultural Adjustment Act of 1949, as amended, Sec 103h

CFR Citation: 7 CFR 1427

Legal Deadline: Statutory, December 1, 1988. (12/1/88 for announcement of loan rate only)

Abstract: To assure sufficient supplies of ELS cotton for domestic and export use, maintain adequate carryover stocks, support farm income, combat inflation, conserve natural resources, hold down Federal costs, and comply with statutory requirements.

Determinations are to be made on (1) the loan rate -- not less than 85% of the average market price over the previous 5 years, excluding the highest and lowest years, (2) the target price -- 120% of the loan level, (3) acreage limitation -- to be set at such level as to assure that total supplies will not be excessive, (4) the national program acreage -- not less than 60 thousand acres, (5) other provisions -- whether or not to make land diversion payments, and the loan level for seed cotton. The expected cost is \$0.5 - \$1.0 million. (ASCS 87-018)

Timetable:

Action	Date	FR Cite
NPRM	09/01/88	
Final Action	12/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB25

15. ● 1989 PRICE SUPPORT LEVELS FOR SIX KINDS OF TOBACCO

Significance: Agency Priority

Legal Authority: 7 USC 1445; The Agricultural Act of 1949, as amended, Sec 106

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: To stabilize tobacco prices and comply with statutory requirements, price support levels are set by statutory formula, based on a prices paid index. The Secretary may lower price support at the request of producer associations. Increases may be limited to 65% of the increase otherwise established. A net receipt of \$9 million is expected.

Timetable:

Action	Date	FR Cite
NPRM	05/01/89	
Final Action	09/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB32

16. ● 1989-CROP NATIONAL AVERAGE PRICE SUPPORT LEVEL FOR QUOTA PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445c-2; Agricultural Act of 1949, Sec 108B

CFR Citation: 00 CFR None

Legal Deadline: Statutory, February 15, 1989.

USDA—ASCS

Proposed Rule Stage

Abstract: This action is required by legislation, which provides a formula for computing the quota support level. The objective is to support farm income and stabilize prices.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	
Final Action	02/15/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB36

17. ● 1989-CROP HONEY PRICE SUPPORT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446(b); The Agricultural Act of 1949, as amended, Sec 201(b)

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Legal Deadline: None.

Abstract: Legislation requires that 1989-crop honey be supported at 95 percent of the 1988 level, or \$0.5636 per pound. It also provides the Secretary the discretion to allow loan repayment at a lower rate. The objective of a lower repayment rate is to (1) minimize loan forfeitures, (2) avoid excessive stocks, (3) reduce Federal storage costs, and (4) maintain the competitiveness of honey in domestic and export markets. Alternatives to be considered are: the type of support to offer, whether loans purchases, or loans and purchases, and whether to implement the lower repayment provision. Government costs under the lower repayment provision would be expected to be under \$60 million.

Timetable:

Action	Date	FR Cite
NPRM	01/18/89	
Final Action	04/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO

Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB37

18. ● COMMON PROGRAM PROVISIONS FOR THE 1990 WHEAT, FEED GRAIN, COTTON AND RICE PROGRAMS

Significance: Regulatory Program

Legal Authority: 7 USC 1421 et seq; The Agricultural Act of 1949, as amended, Sec 107d

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: None.

Abstract: To make and implement determinations that are common to each of the 1989 Wheat, Feed Grain, Cotton and Rice Programs. Determinations are to be made on (1) production of approved non-program crops on underplanted program crop permitted acreage, (2) production of alternative crops on reduced acreage, (3) haying and grazing of underplanted program crop permitted acreage and ACR conservation use acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of 10 percent of a farm's acreage base between program commodity acreage bases, (8) consideration of actual 1990-crop yields in establishing a subsequent year's program payment yield, (9) advance deficiency and diversion payments, (10) interest certificate payments, (11) provisions for commodity payment certificates, and (12) the enrollment period.

Timetable:

Action	Date	FR Cite
NPRM	03/08/89	
NPRM Comment Period End	05/08/89	
Final Action	06/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB38

19. ● 1989 RICE PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1441; Agricultural Act of 1949, Sec 101, as amended

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 720; 7 CFR 794 to 796; 7 CFR 1421

Legal Deadline: Statutory, January 31, 1989. (For announcing loan, target, and acreage limitation levels.)

Abstract: To provide an adequate supply of rice for domestic and foreign utilization, support farm income, combat inflation, hold down Federal costs, conserve resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rates -- 85% of the previous 5-year average, excluding the high and low years, but cannot be reduced more than 5% from the previous year's level nor be lower than \$6.50/cwt., (2) target price -- no lower than \$10.80 cwt., (3) acreage limitation -- no more than 35%, with a target carryover level of 30 million cwt. Determinations are also to be made on (1) a land diversion program, (2) advance deficiency/diversion payments, (3) purchase of marketing certificates under the marketing loan, (4) loan deficiency payments, (5) inventory reduction program (half-ARP), and (6) loan rate adjustments (loan differentials). The expected cost to Government is \$600 million.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
Final Action	12/31/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB39

20. ● 1990 WHEAT PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1445b-3; 7 USC 1710; The Agricultural Adjustment Act of 1949, Sec 107D and 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796

Legal Deadline: Statutory, June 1, 1989. (For announcement of acreage adjustment levels)

USDA—ASCS

Proposed Rule Stage

Abstract: To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rate -- minimum probable range of \$1.95 to \$2.44 per bushel, (2) target price -- at least \$4.00 per bushel, and (3) acreage adjustment -- not less than 20% nor more than 30%, if carryin exceeds 1 billion bushels; no more than 20% if carryin is below 1

billion bushels. Decisions also to be made on whether to implement (1) a marketing loan program and related programs, (2) a paid land diversion, (3) advance deficiency/diversion payments, (4) generic certificate program, and (5) incentives for farmers to participate in the FOR. The expected cost is \$2.0-\$4.0 billion.

Timetable:

Action	Date	FR Cite
NPRM	03/08/89	
NPRM Comment	05/08/89	
Period End		

Action	Date	FR Cite
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Final Action 06/01/89

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB41

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Agricultural Stabilization and Conservation Service (ASCS)

21. PRICE SUPPORT LOAN PROGRAM FOR 1986 THROUGH 1990-CROPS SUGAR BEETS AND SUGARCANE

Significance: Regulatory Program

Legal Authority: 7 USC 1446; Ag Act of 1949, as amended, Sec 201

CFR Citation: 7 CFR 1435

Legal Deadline: Statutory, October 1, 1986.

Abstract: The 1949 Act, as amended by the Food Security Act of 1985, requires the Secretary to support the price of domestically grown sugarcane and sugar beets through a nonrecourse loan program effective for the 1986 through 1990 crops. The object of this action is to develop program and operation provisions for administering a sugar price support program. (ASCS 86-048)

Timetable:

Action	Date	FR Cite
Announcement	10/01/86	
Interim Final Rule	10/29/86	51 FR 39507

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA74

22. 1987-CROP PEANUTS NATIONAL POUNDAGE QUOTA

Significance: Agency Priority

Legal Authority: 7 USC 1358; Ag Act of 1938, Sec 358

CFR Citation: Not applicable

Legal Deadline: Statutory, December 15, 1986.

Abstract: This action is required by legislation, which provides a formula for computing the National quota. The quota must equal the amount devoted to domestic edible, seed, and related uses and may not be less than 1.1 million tons. The objective is to balance supply with demand at levels that assure stable supplies for domestic use and assure producers a reasonable income. (ASCS 86-033)

Timetable:

Action	Date	FR Cite
NPRM	11/20/86	51 FR 41990
Announcement	12/12/86	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA79

23. COMMON PROGRAM PROVISIONS FOR THE 1988 WHEAT, FEED GRAINS, COTTON AND RICE PROGRAMS

Significance: Regulatory Program

Legal Authority: 7 USC 1441-1; 7 USC 1444-1; 7 USC 1444-b; 7 USC 1445b-3; 7 USC 1461 to 1469; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: Statutory, June 1, 1987. (Acreage Reduction Percentage for Wheat Only)

Abstract: To make and implement determinations that are common to each of the 1988 wheat, feed grains, cotton and rice programs.

Determinations are to be made on (1) the enrollment period (universal or staggered for each program), (2) production of approved non-program crops on underplanted program crop permitted acreage, (3) production of alternative crops on reduced acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of ten percent of a farm's acreage base between program commodity base acreage, (8) consideration of actual 1988-crop yields in establishing a subsequent year's program payment yield, (9) procedure for crediting prevented planting and failed acreage, and (10) advance deficiency and diversion payments. (ASCS 86-057)

Timetable:

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15362
Announcement	07/02/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA89

USDA—ASCS

Final Rule Stage

24. 1988 RICE PROGRAM**Significance:** Regulatory Program**Legal Authority:** 7 USC 1441; The Agricultural Act of 1949, as amended Sec 101**CFR Citation:** 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421**Legal Deadline:** Statutory, January 31, 1988.**Abstract:** To provide an adequate rice supply for domestic and foreign utilization, and comply with statutory requirements. (ASCS 86-058)**Timetable:**

Action	Date	FR Cite
NPRM	10/02/87	52 FR 38806
Announcement	01/22/88	
Announcement	01/26/88	
Final Action	04/01/88	

Small Entity: No**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636**RIN:** 0560-AA90**25. 1988 WHEAT PROGRAM****Significance:** Regulatory Program**Legal Authority:** 7 USC 1445b-3; The Agricultural Act of 1949, as amended, Sec 107D**CFR Citation:** 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421.1 to 1421.29; 7 CFR 1421.460 to 1421.471; 7 CFR 1421.700 to 1421.714**Legal Deadline:** Statutory, June 1, 1987. (Acreage Reduction Percentage Only)**Abstract:** To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, and comply with statutory requirements. (ASCS 86-059)**Timetable:**

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15358
Announcement	07/02/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service,

Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA91**26. 1988 FEED GRAIN PROGRAM****Significance:** Regulatory Program**Legal Authority:** 7 USC 1444e; The Agricultural Act of 1949, as amended, Sec 105C and 110**CFR Citation:** 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718; 7 CFR 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.1 to 1421.29; 7 CFR 1421.90 to 1421.100; 7 CFR 1421.720 to 1421.734**Legal Deadline:** Statutory, September 30, 1987. (Acreage Reduction Percentage Only)**Abstract:** To provide an adequate feed grain supply for domestic and foreign utilization, and comply with statutory requirements. (ASCS 86-060)**Timetable:**

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26707
Announcement	09/29/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636**RIN:** 0560-AA92**27. 1988 UPLAND COTTON PROGRAM****Significance:** Regulatory Program**Legal Authority:** 7 USC 1444-1, Ag Act of 1949, as amended Sec. 103A**CFR Citation:** 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427**Legal Deadline:** Statutory, November 1, 1987.**Abstract:** To assure sufficient supplies of upland cotton for domestic and export use, maintain adequate carryover stocks, and comply with statutory requirements. (ASCS 86-061)**Timetable:**

Action	Date	FR Cite
NPRM	07/17/87	52 FR 27032
Announcement	10/29/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636**RIN:** 0560-AA93**28. 1988-CROP FLUE-CURED TOBACCO MARKETING QUOTAS****Significance:** Agency Priority**Legal Authority:** 7 USC 1311 to 1313; Agricultural Adjustment Act of 1938, as amended; Sec 311 to 313**CFR Citation:** 7 CFR 725**Legal Deadline:** Statutory, December 15, 1987.**Abstract:** Marketing quotas are required by legislation. Their objective is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 86-064)**Timetable:**

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Not Applicable**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636**RIN:** 0560-AA98**29. 1988 EXTRA LONG STAPLE (ELS) COTTON PROGRAM****Significance:** Agency Priority**Legal Authority:** 7 USC 1444(h); The Agricultural Act of 1949, as amended, Sec 103(h)**CFR Citation:** 7 CFR 1427**Legal Deadline:** Statutory, December 1, 1987.**Abstract:** To assure sufficient supplies of extra long staple cotton for domestic and export use, maintain adequate carryover stocks, and comply with statutory requirements. (ASCS 86-065)**Timetable:**

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34262
Final Action	04/01/88	

Small Entity: Not Applicable**Agency Contact:** Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service,

USDA—ASCS

Final Rule Stage

Room 3726-S, P.O. Box 2415,
Washington, DC 20013, 202 475-4636

RIN: 0560-AA99

30. 1988-CROP BURLEY TOBACCO MARKETING QUOTAS AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1312; The Agricultural Act of 1938, as amended, Sec 312 to 313; 7 USC 1445; The Agricultural Adjustment Act of 1949, as amended, Sec 106

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, February 1, 1988.

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB06

31. 1988-CROP MARKETING QUOTAS AND ACREAGE ALLOTMENTS FOR FIVE KINDS OF TOBACCO

Significance: Agency Priority

Legal Authority: 7 USC 1312(a) et seq; The Agricultural Act of 1938, as amended, Sec 312-313

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, March 1, 1988.

Abstract: Marketing quotas and acreage allotments are required by legislation. Their objective is to balance supply with demand at levels that ensure stable supplies for domestic and export use. This action is expected to result in a net receipt to the Government of approximately \$8 million.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 630
Final Action	05/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB07

32. 1988-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1423; Agricultural Act of 1949, Sec. 403; 15 USC 714c; Commodity Credit Corporation Charter Act, Sec. 5

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The Secretary of Agriculture is authorized to make appropriate adjustments in the support price for peanuts for differences in grade, type, quality, location, and other factors to ensure that price support levels are representative of the market values of the various types. The average of the price support levels must, as far as is practicable, equal the national average price support level as determined by legislation. No alternatives are considered and the cost to Government will be negligible.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB08

33. 1988-CROP SUGAR BEET AND SUGARCANE PRICE SUPPORT LOAN RATES

Significance: Agency Priority

Legal Authority: 7 USC 1421; 7 USC 1446; The Agricultural Adjustment Act of 1949, as amended, Sec 201; and 401

CFR Citation: 7 CFR 1435

Legal Deadline: None.

Abstract: To set forth (1) loan rates applicable to 1988-crop sugar beets and sugarcane, and (2) the 1988-crop minimum price support levels processors are required to pay their growers. The minimum national average loan rate is set by statute at \$0.18/lb. for sugarcane, with the rate for sugar beets set at such level as the Secretary determines is fair and reasonable in relation to that for sugarcane. No impact on Government outlays is expected. However, the cost to consumers and other users of sugar will likely exceed \$2 billion. (87-026)

Timetable:

Action	Date	FR Cite
Final Action	09/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB19

34. 1989 WOOL AND MOHAIR PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1782 et seq; National Wool Act of 1954, as amended, Sec 703

CFR Citation: 7 CFR 1468; 7 CFR 1472

Legal Deadline: None.

Abstract: To encourage the continued domestic production of wool at prices fair to both producers and consumers, in a manner which will assure a viable domestic wool industry in the future, by supporting the prices of wool and mohair by means of loans, purchases, payments, or other operations. The support level for wool is set by statutory formula. The support price for mohair must be set at a level not more than 15 percent above or below the comparable percentage of parity at which shorn wool is supported. The expected cost is \$100 to \$200 million. (ASCS 87-027)

Timetable:

Action	Date	FR Cite
Final Action	12/30/88	

Small Entity: Not Applicable

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Final Rule Stage

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB20

35. 1988 CCC COTTON LOAN PROGRAM REGULATIONS—BALE PACKAGING MATERIALS

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1427

Legal Deadline: None.

Abstract: To incorporate by reference the specifications for bale packaging materials used in wrapping cotton for 1988 that were approved by the Joint Cotton Industry Bale Packaging Committee and that are acceptable to CCC. No cost to Government is expected. (ASCS 87-014)

Timetable:

Action	Date	FR Cite
Final Action	07/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB21

36. GENERAL REGULATIONS GOVERNING PRICE SUPPORT OF 1986 AND SUBSEQUENT CROPS OF GRAIN

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1421

Legal Deadline: None.

Abstract: To correct and update program regulations. Specifically, this amendment will incorporate substitution provisions, clarify settlement of high moisture grain delivered to CCC, and revise warehouse-stored loan grade requirements. No cost to Government is expected. (ASCS 87-016)

Timetable:

Action	Date	FR Cite
NPRM	11/24/87	52 FR 44989

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB23

37. WAIVER OF STANDARDS FOR APPROVED WAREHOUSES

Legal Authority: 15 USC 714c; Commodity Credit Corporation Charter Act, Sec 5

CFR Citation: 7 CFR 1421

Legal Deadline: None.

Abstract: Due to the large carryover of grain stocks and a bumper harvest expected this summer and fall, the need for storage space for CCC-owned and loan grain may become critical in several areas of the country. This amendment will permit CCC to approve warehouses that are temporarily unable to meet all of the Standards of Approval, in order to provide adequate storage space. There is no expected cost to Government of this action. (ASCS 87-017)

Timetable:

Action	Date	FR Cite
NPRM	08/17/87	52 FR 30689
Final Action	01/04/88	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB24

38. DAIRY INDEMNITY PAYMENT PROGRAM—JANUARY 1, 1988 - SEPTEMBER 30, 1990

Legal Authority: PL 90-484, Sec 1 to 3, as amended; PL 91-524, Sec 204, as amended; PL 93-86, Sec 5; PL 95-113, Sec 205; 7 USC 450 j, k, and 1

CFR Citation: 7 CFR 760.1 to 760.34

Legal Deadline: None.

Abstract: This action will extend the program through September 30, 1990. The purpose of the program is to indemnify dairy farmers for milk dumped because of contamination that is not the fault of the producer and dairy manufacturers for dairy products removed from the market through no fault of the manufacturers. The alternative is to discontinue the program. The cost to the Government for FY 1988 through FY 1990 is estimated to be about \$500,000.

Timetable:

Action	Date	FR Cite
Final Action	07/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB30

39. 1989-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1423; Agricultural Act of 1949, Sec 403; 15 USC 714c; Commodity Credit Corporation Charter Act, Sec 5

CFR Citation: 00 CFR N/A

Legal Deadline: None.

Abstract: The Secretary of Agriculture is authorized to make appropriate adjustments in the support price for peanuts for differences in grade, type, quality, location, and other factors to ensure that price support levels are representative of the market values of the various types. The average of the price support levels must, as far as is practicable, equal the national average price support level as determined by legislation. No alternatives are considered and the cost to Government will be negligible.

Timetable:

Action	Date	FR Cite
Final Action	03/31/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO

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Final Rule Stage

Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB31

40. ● 1989-CROP NATIONAL AVERAGE LOAN RATE AND MINIMUM CCC EXPORT EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445C-2; Agricultural Act of 1949, Sec 108B

CFR Citation: 00 CFR None

Legal Deadline: Statutory, February 15, 1989.

Abstract: This action is required by legislation, which provides guidelines for the establishment of the additional support level. The objective is to support farm income and stabilize prices.

Timetable:

Action	Date	FR Cite
Final Action	02/15/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB33

41. ● 1989-CROP BURLEY TOBACCO MARKETING QUOTAS AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1312; The Agricultural Act of 1938, as amended, Sec 312 to 313; 7 USC 1445; The Agricultural Adjustment Act of 1949, as amended, Sec 106

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, February 1, 1989.

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers. Quota is based on manufacturers' intentions, 3-year average exports, an adjustment to maintain loan stocks, and a discretionary adjustment of plus or minus 3 percent. Price support is based on a formula that is 2/3 weight average market prices and 1/3 weight cost

index, plus discretion to limit any increase to 65 percent. A net receipt of \$131 million is expected

Timetable:

Action	Date	FR Cite
Final Action	02/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB34

42. ● 1989-CROP FLUE-CURED TOBACCO MARKETING QUOTA AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1311 to 1313; Agricultural Adjustment Act of 1938, Sec 311 to 313, as amended; 7 USC 1445; Agricultural Act of 1949, Sec 106, as amended

CFR Citation: 00 CFR None

Legal Deadline: Statutory, December 15, 1988. (For announcement of price support level)

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers. The quota is based on manufacturers' intentions, 3-year average exports, an adjustment to maintain loan stocks and a discretionary adjustment of plus or minus 3 percent. The price support level is based on a formula that is 2/3 weight average market prices and 1/3 weight a cost index, with discretion to limit any increase to 65 percent. A net receipt of \$153 million is expected.

Timetable:

Action	Date	FR Cite
Final Action	12/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB35

43. ● MILK PRICE SUPPORT LEVEL, CALENDAR YEAR 1989

Significance: Regulatory Program

Legal Authority: 7 USC 1446(d); The Agricultural Act of 1949, as amended, Sec 201(d)(1)(E)

CFR Citation: 7 CFR 1430

Legal Deadline: Statutory, January 1, 1989.

Abstract: Legislation requires that if estimated price support purchases for 1989 exceed 5 billion pounds (milk equivalent, fat basis), the Secretary shall reduce the support price by \$0.50 per hundredweight (cwt), and if estimated purchases do not exceed 2.5 billion pounds, shall increase the support price by \$0.50/cwt. The cost to Government is expected to be approximately \$1 billion.

Timetable:

Action	Date	FR Cite
Final Action	12/31/88	
Final Action Effective	01/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB40

44. ● BURLEY TOBACCO PRICE SUPPORT RESTRICTIONS FOR NONBALED TOBACCO AND NONSTANDARD CONTAINERS

Legal Authority: 7 USC 1445; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 1464

Legal Deadline: None.

Abstract: This action would encourage the marketing of burley tobacco in baled form by providing a reduced price support level of 5 to 15 cents per pound for nonbaled tobacco effective for the 1988 crop. Approximately 85 percent of all burley tobacco sold at auction is in baled form. The industry preference for baled tobacco could result in all nonbaled tobacco being placed under loan.

This action would also require that effective for the 1989 crop, all loan tobacco be delivered on a standard container (slip sheet), in order to

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establish a uniform tare for all lots of tobacco and eliminate errors resulting from the separate weighing of nonstandard containers (pallets).

No cost to Government is expected. Cost to producers would be equal to the reduction in price support for nonbaled tobacco. Cost to warehousemen due to

a shift to standard containers would be minimal.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
Final Action	05/16/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB42

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Agricultural Stabilization and Conservation Service (ASCS)

45. 1987 FEED GRAIN PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718; 7 CFR 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.720 to 1421.734

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA59

46. 1987 EXTRA LONG STAPLE (ELS) COTTON PROGRAM

Significance: Agency Priority

CFR Citation: 7 CFR 1427

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA60

47. 1987 UPLAND COTTON PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA64

48. 1987 RICE PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA72

49. 1987-CROP HONEY PRICE SUPPORT PROGRAM

Significance: Agency Priority

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Completed:

Reason	Date	FR Cite
Announcement	04/07/87	

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA73

50. 1987 WHEAT PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.485 to 1421.490

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA82

51. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION PROGRAMS

Significance: Agency Priority

CFR Citation: 7 CFR 703, (New)

Completed:

Reason	Date	FR Cite
Final Action	09/17/87	52 FR 35194

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 447-4636

RIN: 0560-AA88

52. COMMON PROGRAM PROVISIONS FOR THE 1987 WHEAT, FEED GRAINS, COTTON AND RICE PROGRAMS

Significance: Agency Priority

CFR Citation: 00 CFR not yet determined

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA94

53. 1987 SOYBEAN LOAN PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 1421.1 to 1421.29; 7 CFR 1421.365 to 1421.374

Completed:

Reason	Date	FR Cite
Final Action	10/05/87	52 FR 37191

Small Entity: Not Applicable

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Completed Actions

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA95

54. 1987 PRICE SUPPORT LEVELS FOR SIX KINDS OF TOBACCO

Significance: Agency Priority

CFR Citation: 7 CFR 1464

Completed:

Reason	Date	FR Cite
Final Action	01/21/88	53 FR 1652

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA97

55. 1987-CROP SUGAR BEETS AND SUGARCANE PRICE SUPPORT LOAN RATES

Significance: Regulatory Program

CFR Citation: 7 CFR 1435

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43376

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB01

56. MILK PRICE SUPPORT LEVEL, CALENDAR YEAR 1988

Significance: Regulatory Program

CFR Citation: 7 CFR 1430

Completed:

Reason	Date	FR Cite
Final Action	01/08/88	53 FR 543

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB02

57. MILK PRICE SUPPORT LEVEL, OCTOBER 1, 1987, THROUGH DECEMBER 31, 1990

Significance: Regulatory Program

CFR Citation: 7 CFR 1430

Completed:

Reason	Date	FR Cite
Final Action	10/01/87	52 FR 36805

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB03

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Animal and Plant Health Inspection Service (APHIS)

58. IMPORTATION OF FRUITS AND VEGETABLES UNDER ASSURED CERTIFICATION AGREEMENTS

Significance: Regulatory Program

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167

CFR Citation: 7 CFR 319.56

Legal Deadline: None.

Abstract: To prevent the introduction of plant pests and diseases, Plant Protection and Quarantine (PPQ) inspects shipments of foreign fruits and vegetables upon their arrival at United States ports. PPQ is developing regulations that will allow inspections to be performed in the exporting countries, rather than upon arrival in the United States, using methods and standards approved and monitored by PPQ. This procedure should speed the movement of commodities moved under this "assured certification" alternative, and will allow PPQ to employ its personnel and resources more effectively.

Timetable:

Action	Date	FR Cite
ANPRM	01/20/87	52 FR 2114
ANPRM Comment Period End	03/23/87	
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Mr. Frank Cooper, Staff Officer, Regulatory Services Staff, Department of Agriculture, Animal and Plant Health Inspection Service, Federal Building, Room 637, 6505 Belcrest Road, Hyattsville, MD 20782, 301 436-8248

RIN: 0579-AA17

59. SWINE IDENTIFICATION

Significance: Regulatory Program

Legal Authority: 21 USC 111 to 113; 21 USC 601 et seq; 21 USC 114a; 21 USC 1149-1; 21 USC 115 to 117; 21 USC 120 to 126; 21 USC 134b; 21 USC 134f

CFR Citation: 9 CFR 71; 9 CFR 78; 9 CFR 85; 9 CFR 309; 9 CFR 310; 9 CFR 320

Legal Deadline: None.

Abstract: Swine in interstate commerce may be adulterated with drug and other chemical residue levels higher than the allowed tolerance and may be spreading diseases. The Department is proposing to require that all swine in interstate commerce be individually identified and records of identification be maintained. Mandatory identification of swine in interstate commerce would allow APHIS to more easily locate sources of infection in order to eradicate and contain disease and would allow the Food Safety Inspection Service (FSIS) to more easily determine the source of adulterated meat and prevent its consumption.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	
Final Action Effective	01/00/89	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Steven B. Farbman, Assistant Director, Regulatory Coordination, Department of

USDA—APHIS

Proposed Rule Stage

Agriculture, Animal and Plant Health Inspection Service, Room 728, 6505 Belcrest Road, Hyattsville, MD 20782, 301 436-5533

RIN: 0579-AA19

60. ANIMAL WELFARE REGULATIONS; STANDARDS

Significance: Regulatory Program

Legal Authority: 7 USC 2142; 7 USC 2143

CFR Citation: 9 CFR 3.1 to 3.17, (Revision); 9 CFR 3.25 to 3.41, (Revision); 9 CFR 3.75 to 3.91, (Revision)

Legal Deadline: None.

Abstract: In 1985 Congress amended the Animal Welfare Act, 7 USC 2131 et seq., and required the Secretary of Agriculture to promulgate regulations and standards governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers, research facilities, operators of auction sales, carriers, and intermediate handlers. The standards and regulations will provide minimum requirements with respect to handling, housing, feeding, sanitation, veterinary care, and other related matters. APHIS is proposing to amend, revise, and expand the "Standards" relating to dogs and cats, guinea pigs and hamsters, and nonhuman primates, and will include provisions for exercise of dogs and for

promoting the psychological well-being of primates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Dr. R. L. Crawford, Senior Staff Veterinarian, Animal Care Staff, Department of Agriculture, Animal and Plant Health Inspection Service, Federal Building, Room 756, 6505 Belcrest Road, Hyattsville, MD 20782, 301 436-7833

RIN: 0579-AA20

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Animal and Plant Health Inspection Service (APHIS)

61. ANIMAL WELFARE; DEFINITION OF TERMS AND REGULATIONS

Significance: Regulatory Program

Legal Authority: 7 USC 2133; 7 USC 2135; 7 USC 2136; 7 USC 2140; 7 USC 2141; 7 USC 2142; 7 USC 2143; 7 USC 2144; 7 USC 2146; 7 USC 2147; 7 USC 2151

CFR Citation: 9 CFR 1, (Revision); 9 CFR 2, (Revision)

Legal Deadline: None.

Abstract: In 1985 Congress amended the Animal Welfare Act, 7 USC 2131, et seq., and required the Secretary of Agriculture to promulgate regulations and standards governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers, research facilities, operators of auction sales, carriers, and intermediate handlers. The standards and regulations will provide minimum requirements with respect to handling, housing,

feeding, sanitation, veterinary care, and other related matters. The Agency has proposed definitions to provide proper guidance to the public, licensees, and registrants in their responsibilities under the Act. The Agency has also proposed to amend, revise, and expand the "Regulations" contained in 9 CFR 2.1 through 2.132, pertaining to licensing and registration of facilities, recordkeeping and identification of animal holding periods and facilities, inspections, Institutional Animal Care and Use Committees, adequate veterinary care, and other areas relating to humane animal care matters.

Timetable:

Action	Date	FR Cite
NPRM	03/31/87	52 FR 10298
Notice of Extension of comment period	05/22/87	52 FR 19359

Action	Date	FR Cite
Extension and Reopening of comment period	08/12/87	52 FR 29865
NPRM Comment Period End	08/27/87	
Final Action	04/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Dr. R. L. Crawford, Senior Staff Veterinarian, Animal Care Staff, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Room 756, 6505 Belcrest Road, Hyattsville, MD 20782, 301 436-7833

RIN: 0579-AA18

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Cooperative State Research Service (CSRS)

62. GUIDELINES FOR BIOTECHNOLOGY RESEARCH IN AGRICULTURAL FIELD PLOTS

Legal Authority: PL 99-198 Food Security Act of 1985

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The purpose of these guidelines is to specify necessary agricultural practices for the safe field testing of plants, animals, and other organisms involved in agricultural biotechnology research. The National Institutes of Health (NIH) has proposed changes in the Guidelines for Research Involving Recombinant DNA Molecules (52 FR 29800, August 11, 1987). These

proposed changes address chiefly biosafety levels for research involving whole plants and animals under various conditions of laboratory containment.

A significant portion of agricultural research is performed in field plots outside a laboratory. Therefore, USDA guidelines for biotechnology research in field plots are necessary to assure the

USDA—CSRS

Proposed Rule Stage

biosafety of agricultural ecosystems in which genetically engineered organisms may be tested outside the laboratory. Compliance with the USDA biotechnology research guidelines will be obligatory for all entities which receive support from USDA and it will be voluntary for other entities. The guidelines are promulgated under the authority of the National Agricultural Research, Education, and Teaching Policy Act Amendments (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	06/26/86	51 FR 23367
ANPRM	09/26/86	
Comment		
Period End		
NPRM	06/00/88	

Small Entity: No

Additional Information: ADDITIONAL ABSTRACT: of 1985 (Public Law 99-198, Section 1404(12) and the USDA

Delegation of Authority Pertaining to Biotechnology (50 FR 29367, July 19, 1985, codified at 7 CFR 2.30).

Agency Contact: William S. Smith, Regulatory Coordinator, Department of Agriculture, Cooperative State Research Service, Room 017 Justin Smith Morrill Bldg., Washington, DC 20251-0900, 202 475-4964

RIN: 0524-AA00

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Farmers Home Administration (FmHA)

63. PLANNING AND PERFORMING CONSTRUCTION AND OTHER DEVELOPMENT

Significance: Agency Priority

Legal Authority: 7 USC 1989; 42 USC 1480; 5 USC 301; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1924, Subpart A

Legal Deadline: None.

Abstract: Revision to the Certification requirement for drawings and specifications. No costs associated. Benefits will be reduced costs to obtain certifications.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
Final Action	06/00/88	
Final Action	09/30/88	
Effective		

Small Entity: Yes

Government Levels Affected: Local, State

Agency Contact: Chris Goettlmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA36

membership changes and transfers, to broaden the ability to consolidate and reamortize loans, to clarify actions to be taken during a bankruptcy, and to clarify and discuss the classification of problem loans and their resolution, along with other minor revisions. These revisions are needed so as to provide more complete guidance to field staff and borrowers on the topics discussed above. Potential costs consist of administrative time involved with Agency personnel drafting and completing regulation. No alternatives were identified as being appropriate to address the several problems being corrected with this regulation.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/88	
ANPRM	10/30/88	
Comment		
Period End		
Interim Final Rule	00/00/00	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: Chris Goettlmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA38

64. SECURITY SERVICING FOR MULTIPLE HOUSING LOANS

Legal Authority: 42 USC 1480

CFR Citation: 07 CFR 1930; 07 CFR 1944; 07 CFR 1965

Legal Deadline: None.

Abstract: This regulation is being revised to provide clarification on the processing differences between

65. ANALYZING CREDIT NEEDS AND GRADUATION OF BORROWERS

Significance: Agency Priority

Legal Authority: 42 USC 1472

CFR Citation: 7 CFR 1951-F

Legal Deadline: None.

Abstract: Provide for Contracting for Borrower Graduation by a private contractor and certain other changes.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/88	
ANPRM	05/03/88	
Comment		
Period End		
Final Action	07/03/88	
Final Action	08/03/88	
Effective		

Small Entity: Undetermined

Agency Contact: Chris Goettlmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA40

66. COMPLAINTS AND COMPENSATION FOR CONSTRUCTION DEFECTS

Legal Authority: 42 USC 1479

CFR Citation: 7 CFR 1924 F

Legal Deadline: None.

Abstract: Provide for handling construction defects on manufactured homes.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/88	
ANPRM	05/01/88	
Comment		
Period End		
NPRM	08/07/88	
NPRM Comment	10/03/88	
Period End		
Final Action	03/01/89	

USDA—FmHA

Prerule Stage

Action	Date	FR Cite
Final Action Effective	04/01/89	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA41

67. RURAL DEVELOPMENT LOAN FUND RELENDING PROGRAM

Significance: Agency Priority

Legal Authority: 42 USC 9812a; 7 USC 1932 note

CFR Citation: 7 CFR 1948-C

Legal Deadline: Statutory, June 22, 1988.

Abstract: This action is necessary to implement the provisions of Section 407 of the Health and Human Services Act of 1986 which amended Section 1323 of the Food Security Act of 1985 by stating

that all funds in, repaid to, or appropriated to the Rural Development Loan Fund shall be used by the Secretary of Agriculture to make loans to entities for the purpose of and subject to the terms and conditions specified in the first, second and last sentences of section 623 (a) of the Community Economic Development Act of 1981 (42 U.S.C. 981 (a)).

Timetable:

Action	Date	FR Cite
ANPRM	04/20/88	00 FR 0000

Small Entity: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, 14th & Independence Avenue, SW, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA43

68. SUPPLEMENTAL REQUIREMENTS FOR MAKING SECTION 502 RH LOANS FOR MANUFACTURED HOMES

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944A, Exhibit F

Legal Deadline: None.

Abstract: The Department of Energy report required in PL 98-181 will be considered in determining the need to revise FmHA thermal standards for manufactured housing.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6347, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA46

DEPARTMENT OF AGRICULTURE (USDA) Farmers Home Administration (FmHA)

Proposed Rule Stage

69. SUSPENSION AND DEBARMENT REGULATIONS

Legal Authority: 7 USC 1989; 42 USC 1480(k)

CFR Citation: 7 CFR 1924, Subpart E

Legal Deadline: None.

Abstract: This regulatory activity will improve FmHA's suspension and debarment system by establishing regulations that are compatible with other federal agency regulations. (FmHA 82-004)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	06/00/88	

Small Entity: No

Additional Information: Agency action deferred until we review the USDA draft of the new regulation which could well become FmHA's as OMB would like to see a common regulation for all agencies.

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of

Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA02

70. RECAPTURE OF SECTION 502 RURAL HOUSING SUBSIDY

Significance: Agency Priority

Legal Authority: 42 USC 1480; 5 USC 301; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1951

Legal Deadline: None.

Abstract: FmHA proposes to revise regulations regarding the recapture of subsidy granted on Section 502 rural housing loans. This action is necessary as current FmHA regulations pertaining to same are confusing to the general public and our borrowers. The intended effect of this action is to shorten and simplify the method of calculating recapture.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	08/01/88	
Final Action	12/01/88	
Final Action Effective	01/02/89	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, 202 382-9744

RIN: 0575-AA29

71. SELF-HELP TECHNICAL ASSISTANCE GRANTS

Legal Authority: 7 USC 1989; 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1933-I

Legal Deadline: None.

Abstract: Complete revision to improve grantee's accounting responsibilities. No costs associated with action. Benefits reduce possibility of program fraud and

USDA—FmHA

Proposed Rule Stage

abuse. Increase borrowers labor contribution.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA34

72. SECTION 502 RURAL HOUSING LOAN POLICIES, PROCEDURES, AND AUTHORIZATIONS

Significance: Agency Priority

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944-A

Legal Deadline: None.

Abstract: Application processing priority system. No costs associated with action. Benefits should be faster processing times and quicker response to requests for assistance.

Timetable:

Action	Date	FR Cite
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NPRM 06/00/88

Final Action 08/00/88

Final Action 09/00/88
Effective

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA35

73. SECTION 504 RURAL HOUSING LOANS AND GRANTS

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944, Subpart J (Revision)

Legal Deadline: None.

Abstract: Incorporates revisions to Agency's authorizing statutes made by the 1983 Housing amendments. Expands loan purposes, increases the total amount of assistance available. No cost

increase. Will benefit more homeowners.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA37

74. MANAGEMENT AND COLLECTION OF NONPROGRAM (NP) LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1951, Subpart J

Legal Deadline: None.

Abstract: A new instruction to provide policy and guidance for FmHA field office personnel to make, manage, collect and liquidate non-program (NP) loans.

Timetable:

Action	Date	FR Cite
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ANPRM 01/01/88

ANPRM 03/01/88

Comment
Period End

NPRM 07/01/88

NPRM Comment 09/01/88

Period End

Final Action 12/01/88

Final Action 01/02/89

Effective

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA39

75. ● RURAL HOUSING PROGRAM LOANS

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1980, Subpart A; 7 CFR 1980, Subpart D

Legal Deadline: None.

Abstract: Update and revise existing Guaranteed Loan Regulations to incorporate revisions made to existing

Rural Housing 502 Insured Loan Regulations and to remove obstacles in loan making for lenders. This action is being done to carry out the objectives of the Housing Act of 1987.

Timetable:

Action	Date	FR Cite
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NPRM 00/00/00

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6347 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA48

76. ● MANAGEMENT AND SUPERVISION OF MULTIPLE FAMILY HOUSING BORROWERS AND GRANT RECIPIENTS

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1930, Subpart C; 7 CFR 1944, Subpart E

Legal Deadline: None.

Abstract: General revision to keep the regulations current with policy clarification and incorporate changes to comply with recent legislative changes. Alternatives were to not revise or only incorporate some changes.

Timetable:

Action	Date	FR Cite
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NPRM 07/01/88

NPRM Comment 09/01/88

Period End

Final Action 11/00/88

Final Action 12/00/88

Effective

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA49

77. ● REAL PROPERTY INSURANCE

Significance: Agency Priority

Legal Authority: 42 USC 1471

CFR Citation: 7 CFR 1806, Subpart A

Legal Deadline: None.

Abstract: Provide for the continuation of insurance for borrowers on escrow.

USDA—FmHA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment	10/01/88	
Period End		
Final Action	02/01/89	
Final Action	03/01/89	
Effective		

Small Entity: Yes

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA53

78. ● SECURITY SERVICING FOR SINGLE FAMILY RURAL HOUSING LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1965, Subpart C

Legal Deadline: None.

Abstract: Provide for the disposition of escrow funds in servicing loan accounts.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment	10/01/88	
Period End		
Final Action	02/01/89	
Final Action	03/01/89	
Effective		

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South

Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA54

79. ● BORROWER SUPERVISION SERVICING AND COLLECTION OF SINGLE FAMILY HOUSING LOAN ACCOUNTS

Significance: Agency Priority

Legal Authority: PL 100-71

CFR Citation: 7 CFR 1951, Subpart G

Legal Deadline: None.

Abstract: Provide for escrowing and the application of payments.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment	10/01/88	
Period End		
Final Action	02/01/89	
Final Action	03/01/89	
Effective		

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA55

80. ● CHANGES TO THE FARMERS HOME ADMINISTRATION (FMHA) FARMER PROGRAM LOAN MAKING, SUPERVISION AND SERVICING REGULATIONS TO IMPLEMENT APPLICABLE PROVISIONS OF "THE AGRICULTURAL CREDIT ACT OF 1987"

Significance: Regulatory Program

Legal Authority: PL 100-233, Sec 601

CFR Citation: 7 CFR 1910, Subpart A; 7 CFR 1924, Subpart A; 7 CFR 1924, Subpart B; 7 CFR 1941, Subpart A; 7 CFR 1941, Subpart B; 7 CFR 1943, Subpart A; 7 CFR 1943, Subpart B; 7 CFR 1943, Subpart C; 7 CFR 1945, Subpart A; 7 CFR 1945, Subpart C; 7 CFR 1945, Subpart D; 7 CFR 1946, Subpart A (new); 7 CFR 1951, Subpart A; 7 CFR 1951, Subpart L; 7 CFR 1951, Subpart S (new); ...

Legal Deadline: Statutory, June 3, 1988.

Abstract: To implement the provisions of Public Law 100-233, The Agricultural Credit Act of 1987, to reduce losses to the Secretary, help rural communities and help financially distressed farmers to continue farming.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment	04/01/88	
Period End		
Final Action	06/01/88	
Effective		

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, 14th & Independence Avenue, Washington, DC 20250, 202 382-9744

RIN: 0575-AA56

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Farmers Home Administration (FmHA)

81. CHANGES TO THE FMHA FARMER PROGRAM LOAN MAKING, SUPERVISION AND SERVICING REGULATIONS TO IMPLEMENT THE APPLICABLE PROVISIONS OF THE "FOOD SECURITY ACT OF 1985"

Legal Authority: 7 USC 1989

CFR Citation: 7 CFR 1900; 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR 1955; 7 CFR 1980

Legal Deadline: Statutory, March 31, 1986. For Interim Final Rule published 4/21/86.

Abstract: Most of the provisions of the Food Security Act of 1985 are mandated by the Act. The major effects will be to insure that the agency provides prompt service to applicants and borrowers, reduce the need and size of the emergency loan program, provide for additional ways that borrowers may continue farming, provide a home during the transition from farming to

other employment, preserve the family farm, protect the national food supply, and provide for conservation of less productive land. (FmHA 86-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/18/86	51 FR 9174
Interim Final Rule	04/21/86	51 FR 13437
Final Action	09/00/88	

USDA—FmHA

Final Rule Stage

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA23

82. RURAL RENTAL HOUSING POLICIES, PROCEDURES AND AUTHORIZATIONS

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1944

Legal Deadline: None.

Abstract: The objectives are to address the following: (1) A congressional concern that the Agency is to provide prompt services for processing applications and loan management. Prompt services can be provided by utilizing the commercial services of technicians and specialists outside of the Agency, with the Agency providing oversight and monitoring. (2) An Agency need to reduce the impact of technical services on the District and State staff resources. The State Director has been given the authority to use qualified contractors from outside the Agency under the requirements and limitations of a service contract and FmHA Regulations. To use contractors an established contract monitoring system must be established in the State. (FmHA 86-012)

Timetable:

Action	Date	FR Cite
NPRM	06/04/87	52 FR 21069
NPRM Comment Period End	08/03/87	52 FR 21069
Final Action	04/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-South Bldg., Washington, DC 20250, 202 382-9744

RIN: 0575-AA28

83. BORROWER SUPERVISION SERVICING AND COLLECTION OF SINGLE FAMILY HOUSING LOAN ACCOUNTS

Legal Authority: PL 100-71

CFR Citation: 7 CFR 1951-G

Legal Deadline: None.

Abstract: Provide for change in definition of delinquent account and certain other changes.

Timetable:

Action	Date	FR Cite
ANPRM	01/01/88	
ANPRM Comment Period End	03/01/88	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA42

84. DEBT SETTLEMENT - COMMUNITY AND BUSINESS PROGRAMS

Significance: Agency Priority

Legal Authority: PL 99-198

CFR Citation: 7 CFR 1956-C, (New)

Legal Deadline: None.

Abstract: Debt settlement of Community and Business Programs is governed by the Consolidated Farm and Rural Development Act (CONACT) (7 USC (1921-1996)). The major reason for removing debt settlement actions appropriate to Community and Business Programs from the present regulation (FmHA Instruction 456.1) to a new regulation (FmHA Instruction 1956-C) is to comply with section 1309 of the Food Security Act of 1985 (Pub. L. 99-198). Public Law 99-198 provides the Secretary with greater flexibility in administering the debt settlement claims for Community and Business Programs, including compromise, adjustment, cancellation, and chargeoff actions. The changes will result in more efficient service to the public, while continuing protection of the Government's interest.

Timetable:

Action	Date	FR Cite
NPRM	11/20/87	52 FR 44600
NPRM Comment Period End	12/21/87	52 FR 44600
Final Action	05/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA44

85. MANAGEMENT AND SUPERVISION OF MULTIPLE FAMILY HOUSING BORROWERS AND GRANT RECIPIENTS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1930, Subpart C

Legal Deadline: None.

Abstract: Revision, responding to provision of the Housing and Community Development Act of 1987, allows tenant selection to correspond to tax credit eligibility criteria for affected multiple family housing borrowers. Since this revision as mandated by legislation, alternatives were limited.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/05/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA50

86. SECURITY SERVICING FOR MULTIPLE HOUSING LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1965, Subpart B

Legal Deadline: Statutory, April 5, 1988.

Abstract: This revision implements Subtitle C, "Rural Rental Housing Displacement Prevention," of the Housing and Community Development Act of 1987. Since this revision is mandated by legislation, alternatives were limited.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/05/88	

Small Entity: No

USDA—FmHA

Final Rule Stage

Agency Contact: Chris Goettelmann,
Regulatory Coordinator, Department of
Agriculture, Farmers Home
Administration, Room 6348 South
Building, Washington, DC 20250, 202
382-9744

RIN: 0575-AA51

**87. ● PREDETERMINED
AMORTIZATION SCHEDULE SYSTEM
(PASS) ACCOUNT SERVICING**

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1951, Subpart K; 7
CFR 1951, Subpart A; 7 CFR 1930, Subpart
C; 7 CFR 1944, Subpart E

Legal Deadline: None.

Abstract: Revision reincorporates
automated billing provisions removed
from an April 18, 1984, prior rule
pending the development of computer
capacity and combines multiple family
housing account servicing under one
regulation. Alternative is to remain
under current burdensome process.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/88	
Final Action	11/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann,
Regulatory Coordinator, Department of
Agriculture, Farmers Home
Administration, Room 6348 South
Building, Washington, DC 20250, 202
382-9744

RIN: 0575-AA52

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Farmers Home Administration (FmHA)

**88. RESTRICTING INSURED AND
GUARANTEED FARM OWNERSHIP
AND OPERATING LOANS WHEN
SURPLUS ITEMS EXIST**

Significance: Regulatory Program

CFR Citation: 7 CFR 1941; 7 CFR 1943; 7
CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Obsoleted by Agriculture Credit Act of 1987	04/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann
202 382-9744

RIN: 0575-AA12

**89. FMHA GUARANTEES OF
COMMERCIAL LENDER'S FARM
OWNERSHIP (FO) AND OPERATING
LOANS (OL) WITH ACCOMPANYING
LENDER PRINCIPAL WRITE DOWN
AND/OR INTEREST RATE
REDUCTION**

CFR Citation: 7 CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Obsoleted policy	04/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann
202 382-9744

RIN: 0575-AA22

**90. SECTION 502 RURAL HOUSING
LOAN POLICIES, PROCEDURES, AND
AUTHORIZATIONS**

CFR Citation: 7 CFR 1944; 7 CFR 1922; 7
CFR 1951

Completed:

Reason	Date	FR Cite
Final Action	01/26/88	53 FR 2150
Final Action Effective	02/25/88	53 FR 2150

Small Entity: No

Agency Contact: Chris Goettelmann
202 382-9744

RIN: 0575-AA24

**91. GENERAL REVISION OF FARMER
PROGRAM REGULATIONS**

CFR Citation: 7 CFR 1910; 7 CFR 1924; 7
CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR
1951; 7 CFR 1965; 7 CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Due to adverse comments received on Proposed Rule	04/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann
202 382-9744

RIN: 0575-AA27

**92. DISTRESSED FORMER
CONTINUATION AMENDMENTS TO
FMHA FARMER PROGRAM LOAN
MAKING, SUPERVISION AND
SERVICING REGULATIONS**

CFR Citation: 7 CFR 1924; 7 CFR 1941; 7
CFR 1962; 7 CFR 1965

Completed:

Reason	Date	FR Cite
Final Action	03/16/88	53 FR 8738

Small Entity: No

Agency Contact: Chris Goettelmann
202 382-9744

RIN: 0575-AA45

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)
Proposed Rule Stage**93. WAIVER SIMPLIFICATION: FOOD STAMP PROGRAM****Legal Authority:** 7 USC 2014(b)**CFR Citation:** 7 CFR 273; 7 CFR 273.21**Legal Deadline:** None.

Abstract: This rule modifies Food Stamp regulations to reflect concerns raised about the effect of the numerous waiver requests by State agencies. In particular, Monthly Reporting and

Retrospective Budgeting is reviewed to eliminate numerous waivers through incorporation of different or broader principles. (FNS 85-001)

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
Final Action	03/31/89	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA02
DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)
Final Rule Stage**94. ISSUANCE LOSS LIABILITY: FOOD STAMP PROGRAM****Legal Authority:** 7 USC 2016; 7 USC 2020(e)(20)**CFR Citation:** 7 CFR 274; 7 CFR 276**Legal Deadline:** None.

Abstract: These rules govern the issuance of food stamps to Food Stamp Program participants. They also establish the system for accounting for the food stamps and establish liabilities for losses during the issuance process. (FNS 84-002)

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/82	47 FR 49010
NPRM	04/09/86	51 FR 12268
Final Action	06/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA05

ease of reference. This rule outlines the responsibilities of the Food and Nutrition Service and State agencies concerning the distribution of USDA-donated foods acquired under various legislative authorities. The rule prescribes the terms and conditions under which donated foods may be obtained through distributing agencies for use in schools, child care institutions, nonprofit summer camps for children, charitable institutions, nutrition programs for the elderly, and otherwise in the assistance of needy persons. A number of provisions to strengthen and improve the State Processing Program were separated and published in a final rule July 1, 1986. (51 FR 23719) (FNS 84-513)

Timetable:

Action	Date	FR Cite
NPRM	08/19/85	50 FR 33470
Interim Final Rule	06/30/88	
Final Action	03/31/89	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note; 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 42 USC 1779

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA07**95. FOOD DISTRIBUTION PROGRAM - PART 250****Significance:** Agency Priority

Legal Authority: 7 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a-1; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766; ...

CFR Citation: 7 CFR 250**Legal Deadline:** None.

Abstract: The rule reorganizes existing regulatory provisions for clarity and

Legal Deadline: None.

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule describes the terms and conditions under which (1) USDA-donated foods (available under 7 CFR 250) may be distributed to households on or near Indian reservations; (2) the program may be administered by capable Indian tribal organizations; and (3) funds may be obtained from USDA for the costs incurred in administering the program. The rule also provides for the concurrent operation of the Food Distribution Program and the Food Stamp Program on Indian reservations when such concurrent operation is requested by an Indian tribal organization. (FNS 84-514)

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	
Final Action	05/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA09**97. EMERGENCY FOOD ASSISTANCE FOR VICTIMS OF DISASTERS****Legal Authority:** 7 USC 2013(b); 7 USC 2014(h)**CFR Citation:** 7 CFR 273; 7 CFR 280**Legal Deadline:** None.

Abstract: This rule would define special eligibility and issuance

96. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS**Significance:** Agency Priority**Legal Authority:** 7 USC 2013(b)**CFR Citation:** 7 CFR 253

USDA—FNS

Final Rule Stage

procedures during declared disasters.
(84-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/30/88	
Final Action	03/30/89	

Small Entity: No

Agency Contact: Irene Lankford,
Department of Agriculture, Food and
Nutrition Service, Room 1107, Park
Office Center, 3101 Park Center Dr.,
Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA24

98. CONFORMANCE WITH AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) RULES: FOOD STAMP PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 2014(f)

CFR Citation: 7 CFR 273

Legal Deadline: None.

Abstract: This rule reviews Food Stamp and Aid to Families with Dependent Children regulations for inconsistencies and proposes conformance by altering either or both program's rules. (FNS 85-002)

Timetable:

Action	Date	FR Cite
ANPRM	02/19/85	50 FR 6970
NPRM	09/29/87	52 FR 36546
NPRM Comment Period End	11/30/87	
Final Action	11/30/88	

Small Entity: No

Agency Contact: Irene Lankford,
Department of Agriculture, Food and

Nutrition Service, Room 1107, Park
Office Center, 3101 Park Center Dr.,
Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA52

99. SIMPLIFIED APPLICATION AND STANDARDIZED BENEFITS: FOOD STAMP PROGRAM

Legal Authority: PL 99-198; 7 USC 2011
to 2027; 91 Stat 958

CFR Citation: 7 CFR 282.19

Legal Deadline: None.

Abstract: This rule addresses the simplified application and standardized benefit provisions contained in the Food Security Act of 1985. These provisions should result in reductions in administrative costs and depending on the benefit standardization procedures used, significant reductions in error rates. (FNS 86-010)

Timetable:

Action	Date	FR Cite
NPRM	04/23/87	52 FR 13450
Final Action	05/31/88	

Small Entity: No

Agency Contact: Irene Lankford,
Department of Agriculture, Food and
Nutrition Service, Room 1107, Park
Office Center, 3101 Park Center Dr.,
Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA62

100. ADMINISTRATION/MANAGEMENT: FOOD STAMP PROGRAM

Legal Authority: PL 99-198, Secs 1524,
1530, 1526, 1535, 1539

CFR Citation: 7 CFR 272.4; 7 CFR 272.3;
7 CFR 273.18; 7 CFR 275.15

Legal Deadline: Statutory, April 1, 1987.

Abstract: This regulation implements the following five provisions of the Food Security Act of 1985: (1) sets standards for the periodic review of food stamp offices' hours of operation; (2) requires State agencies to encourage participation in the Expanded Food and Nutrition Education Program (EFNEP); (3) requires project areas with 5,000 or more households to establish units to detect fraud; (4) allows State agencies to enter into agreements with State agencies administering Unemployment Compensation laws so that food stamp State agencies can collect outstanding claims by withholding unemployment benefits and/or other methods of collecting claims when recoupment is not an available method; (5) requires the Department to require State agencies to change the certification procedures used in project areas where it is determined that payment error rates are impairing the integrity of the program. (FNS 86-011)

Timetable:

Action	Date	FR Cite
NPRM	03/09/87	52 FR 7158
Final Action	04/30/88	

Small Entity: No

Agency Contact: Irene Lankford,
Department of Agriculture, Food and
Nutrition Service, Room 1107, Park
Office Center, 3101 Park Center Dr.,
Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA63

DEPARTMENT OF AGRICULTURE (USDA) Food and Nutrition Service (FNS)

Completed Actions

101. QUALITY CONTROL ARBITRATION PROCEDURES: FOOD STAMP PROGRAM

CFR Citation: 7 CFR 276.7

Completed:

Reason	Date	FR Cite
Final Action	01/21/88	53 FR 1603

Small Entity: No

Agency Contact: Irene Lankford 703
756-3064

RIN: 0584-AA46

102. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN: ADMINISTRATIVE FUNDING FORMULA

Significance: Agency Priority.

CFR Citation: 7 CFR 246.16(c)

Completed:

Reason	Date	FR Cite
Final Action	01/27/88	53 FR 2213

Small Entity: No

Agency Contact: Irene Lankford 703
756-3065

RIN: 0584-AA70

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Prerule Stage

103. ADMINISTRATIVE REGULATIONS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 44 USC 3501 et seq; 5 USC 601 et seq; 7 CFR 1; EO 12291

CFR Citation: 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 307; 9 CFR 329; 9 CFR 331; 9 CFR 335; 9 CFR 381

Legal Deadline: None.

Abstract: The Agency will review administrative requirements for applying for, granting, refusing, inaugurating, and withdrawing inspection; detaining, seizing, and condemning meat and poultry products; assigning program employees; designating States and territories and providing reimbursable services; scheduling of operations, and for overtime and holiday services.

Would also determine adequacy of current regulations as they relate to petitioning the Agency for regulatory change and informing interested persons of Agency procedures for appeal in the event of adverse determinations. (FSIS 83-009)

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	12/31/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, Department of

Agriculture, Food Safety and Inspection Service, Room 105, Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA02

104. TRANSPORTATION

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq; 5 USC 601 et seq; EO 12291

CFR Citation: 9 CFR 325; 9 CFR 381, Subpart S

Legal Deadline: None.

Abstract: The Agency will review Parts 325 and 381 Subpart S, of Title 9 of the Code of Federal Regulations relating to requirements on the movement of product between inspected facilities to determine if they reflect current Agency practice and whether they impose unnecessary burdens on industry. (FSIS 85-003)

Timetable:

Action	Date	FR Cite
Begin Review	12/01/86	
End Review	06/30/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, Department of Agriculture, Food Safety and Inspection

Service, Room 105, Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA19

105. ELIGIBILITY OF FOREIGN COUNTRIES FOR IMPORTATION OF PRODUCTS INTO THE UNITED STATES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: FSIS will review the import eligibility provisions of regulations promulgated under the Federal Meat Inspection Act and Poultry Products Inspection Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	10/31/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, PP, Department of Agriculture, Food Safety and Inspection Service, Room 105-Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA55

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Proposed Rule Stage

106. SWINE IDENTIFICATION AT OFFICIAL SLAUGHTERING ESTABLISHMENTS

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310; 9 CFR 320

Legal Deadline: None.

Abstract: FSIS, possibly in conjunction with APHIS and/or other agencies, is proposing a swine identification program to provide a means for USDA and other public agencies to determine the origin of trichinae-infected or otherwise diseased swine, and of pork found to be contaminated with harmful chemical residues, and thereby permit the causes of such conditions to be found and recurrences to be prevented

to the benefit of all concerned. (FSIS 86-004)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Douglas Berndt, Director, Slaughter Inspection Standards & Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444-South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA25

107. VARIOUS AMENDMENTS TO ACCOMMODATE INSPECTION OF MEAT FOOD PRODUCTS UNDER TITLE IV OF THE FUTURES TRADING ACT OF 1986

Significance: Regulatory Program

Legal Authority: PL 99-641, Title IV

CFR Citation: 9 CFR 301 to 335

Legal Deadline: None.

Abstract: In November, 1986, PL 99-641 amended the Federal Meat Inspection Act to permit the Department to vary the manner and frequency by which it conducts inspection in establishments producing meat food products. All existing inspection regulations are based upon and reflect the previous statutory requirement that Federal inspectors be continuously present in

USDA—FSIS

Proposed Rule Stage

such establishments. FSIS must develop new inspection procedures to allocate inspection resources among such establishments based on a variety of factors, including (1) the nature and frequency of the processing operations, (2) the adequacy and reliability of the processing control and sanitary procedures, and (3) the establishment's history of compliance with inspection requirements. The meat inspection procedures will touch upon virtually all existing meat regulations concerning inspection of meat food products. Details of these new procedures and the specific proposed regulatory amendments will be developed upon the conduct in 1987 of a pilot program to test alternative procedures in selected plants.

Timetable:

Action	Date	FR Cite
NPRM	01/30/88	
NPRM Comment Period End	05/30/88	
Final Action	07/30/88	

Small Entity: Undetermined

Agency Contact: Judith Segal, Director, Policy and Planning Staff, Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Ave., SW, Room 327-E, Administration Building, Washington, DC 20250, 202 447-6525

RIN: 0583-AA26

108. REQUIREMENTS FOR PARTIALLY DEFATTED PRODUCTS

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 319

Legal Deadline: None.

Abstract: Would establish a standard of identity and composition, and would provide temperature and handling requirements for partially defatted meat products. Would also allow for use of these products in a greater number of meat food products at higher use levels.

Current regulation is not adequate to assure accurate labeling or to prevent commercial misrepresentation of such products.

Timetable:

Action	Date	FR Cite
ANPRM	08/23/85	50 FR 34157
ANPRM Comment Period End	01/21/86	
NPRM	04/01/88	
NPRM Comment Period End	06/01/88	
Final Action	07/15/88	
Final Action Effective	08/15/88	

Small Entity: Undetermined

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311-Cotton Annex, Washington, DC 20250, 202 447-6042

RIN: 0583-AA27

109. CONTROL OF SALMONELLA AND OTHER ENTERIC BACTERIA IN MEAT AND POULTRY PROCESSING

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: Would permit an official meat or poultry establishment that has voluntarily developed effective microbiological controls for fresh packaged meat or poultry products to submit plans and records of such control systems to FSIS for approval. If the Administrator determines a control system to be adequate for the purpose of minimizing naturally occurring microbiological contaminations, he will approve the system, and the establishment will be permitted to use special labeling that acknowledges the use of an approved control system.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: W. H. Dubbert, Assistant Deputy Administrator, Science Program, FSIS, Department of Agriculture, Food Safety and Inspection Service, Room 401-Cotton Annex, Washington, DC 20250, 202 447-2326

RIN: 0583-AA28

110. VERIFIED PRODUCTION CONTROL PROGRAM

Significance: Regulatory Program

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 323; 9 CFR 381

Legal Deadline: None.

Abstract: Would create a voluntary program available to all establishments which would permit label claims concerning how an animal was raised to appear on meat and poultry products subject to USDA's ability to verify such claims.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Dr. W. R. Miller, Director, Residue Evaluation and Planning Division, Science Division, Department of Agriculture, Food Safety and Inspection Service, Room 603-Cotton Annex, Washington, DC 20250, 202 447-2326

RIN: 0583-AA29

111. SULFONAMIDES IN SWINE

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: Would establish an in-plant testing program to monitor violative levels of sulfonamide residues in swine. Such program would be designed to encourage producers to market and packers to purchase only healthy animals that will produce safe and wholesome meat.

Timetable:

Action	Date	FR Cite
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ANPRM	05/20/85	50 FR 20796
ANPRM Comment Period End	08/30/85	

NPRM 09/01/88

NPRM Comment Period End 11/01/88

Final Action 04/01/89

Final Action Effective 05/01/89

Small Entity: Undetermined

USDA-FSIS

Proposed Rule Stage

Agency Contact: W. R. Miller, Director, Residue Evaluation and Planning Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-2807

RIN: 0583-AA31

112. USE AND LABELING OF BLOOD COMPONENTS AS INGREDIENTS IN MEAT FOOD PRODUCTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 317

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to provide regulatory authority for the use of blood components in meat food products and to define labeling requirements for products containing blood components. At the present time, the regulations only address the use of whole blood in meat food products and labeling for products containing whole blood. The proposed rule would amend these sections and establish uniform standards for both whole blood and blood components.

Timetable:

Action	Date	FR Cite
NPRM	03/31/88	
NPRM Comment	06/01/88	
Period End		

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA42

113. USE OF LACTIC ACID AND ACETIC ACID AS ANTI-MICROBIAL AGENTS ON MEAT AND POULTRY CARCASSES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend Federal meat and poultry products inspection regulations by allowing lactic acid and acetic acid to be applied to meat and poultry carcasses for the purpose of reducing microbial contamination.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA43

114. GLUCONO DELTA LACTONE AS AN ACIDIFIER IN MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: This final rule will respond to a petition submitted by Finnsugar Biochemicals, Inc., for approval for the use of glucono-delta-lactone (GDL) as the "acidulant" in a process for manufacturing "restructured meat products." The petitioner wants to use GDL as the acidifier in a USDA-approved binder matrix for restructured meat products which currently employs sodium alginate, calcium carbonate, encapsulated lactic acid, and calcium lactate. GDL would replace lactic acid as the acidifier for this use.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA46

115. REQUIREMENTS FOR FOREIGN COUNTRY IMPORT CERTIFICATION AND LIVE ANIMAL IMPORTATION

Legal Authority: PL 99-198

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would respond to amendments made to the Federal Meat Inspection Act by the Food Security Act of 1985. The

amendments require that FSIS periodically certify residue control programs submitted by foreign countries desiring to export meat products to the United States. The amendments also provide the Secretary with the authority to issue an order prohibiting the importation of livestock for immediate slaughter that have been administered a drug or antibiotic banned for use in the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment	08/01/88	
Period End		
Final Action	02/01/89	
Final Action	03/01/89	
Effective		

Small Entity: No

Agency Contact: William Havlik, Assistant Deputy Administrator, International Programs, Department of Agriculture, Food Safety and Inspection Service, Room - 341 E, Administration Bldg., 14th & Independence Ave., SW, Washington, DC 20250, 202 447-2644

RIN: 0583-AA47

116. TRICHINA CONTROL REQUIREMENTS FOR DRY-CURED HAM

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations by incorporating the dry-cured ham research study findings. This study evaluated the efficiency of present procedures in the commercial production of dry-cured hams and determined the combinations of curing time, temperature, salt concentration, and water activity necessary to inactivate *T. spiralis*.

Timetable:

Action	Date	FR Cite
NPRM	01/30/88	
NPRM Comment	04/30/88	
Period End		
Final Action	12/15/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, MPITS, Department of Agriculture, Food Safety and Inspection

USDA-FSIS

Proposed Rule Stage

Service, Rm 2158-South Bldg.,
Washington, DC 20250, 202 447-3840

RIN: 0583-AA49

117. MOVEMENT OF IMPORTED PRODUCT PRIOR TO REINSPECTION

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would prohibit any transportation of imported meat and poultry products from the port of first arrival until reinspected by FSIS. Responds to 1987 Office of Inspector General (OIG) report that noted physical and administrative control problems over product shipped to other locations after entering the United States before it had received reinspection. Based on the above, OIG recommended that FSIS take action to require that all imported products be reinspected at the port of first arrival rather than at its final destination.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	07/01/88	
Final Action	01/01/89	
Final Action Effective	02/01/89	

Small Entity: Undetermined

Agency Contact: Mark Manis, Director, Import Inspection Division, International Programs, FSIS, Department of Agriculture, Food Safety and Inspection Service, Rm. 4332-South Bldg., 14th & Independence Ave., SW, Washington, DC 20250, 202 447-2952

RIN: 0583-AA53

118. USE AND PROTECTION OF APPROVED WATER SYSTEMS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 42 USC 3007 et seq

CFR Citation: 9 CFR 308; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would prescribe acceptable conditions for the reuse of water in official establishments. This rule would outline methods protecting the potable water supply and describe conditions of use of fresh water. In addition, the rule would also consolidate and make

uniform pre-existing policies for the use and reuse of water and brine.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	08/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: No

Agency Contact: Karen Wesson, Director, Facilities, Equipment, and Sanitation Div., Department of Agriculture, Food Safety and Inspection Service, Room 1140 South Bldg., Washington, DC 20250, 202 447-3885

RIN: 0583-AA54

119. ● SULFONAMIDE AND ANTIBIOTIC RESIDUES IN YOUNG VEAL CALVES; CERTIFICATION REQUIREMENTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: This proposed rule would be amended to require specific certification language, advise certifying parties of the consequences of false statements, and include custodians as well as producers as parties to certification. These changes will improve the effectiveness of the voluntary certifications by providing uniformity to certifications and warnings about false statements. Because of increasing high levels of antibiotic and sulfonamide residues found in young veal calves, the Food Safety and Inspection Service in 1984 initiated intensified inplant testing procedures to prevent adulterated meat from entering consumer channels. These procedures provide for a voluntary written certification program that allows for less intense testing of calves certified as not having been treated with drugs, or if so, that prescribed label directions were followed. More recently the Office of the Inspector General recommended that the Agency develop a standard form for the certified calf program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: W. R. Miller, Director, Residue Evaluation and Planning Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-2807

RIN: 0583-AA58

120. ● REQUIREMENTS FOR FOREIGN COUNTRY CERTIFICATION AND LIVE ANIMAL IMPORTATION

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq; PL 99-198

CFR Citation: 9 CFR 327

Legal Deadline: None.

Abstract: This proposed rule responds to provisions of the 1985 Farm Bill which would amend the Federal meat and poultry products inspection regulations to require an annual certification of foreign country residue control programs by FSIS and would prescribe terms and conditions for the importation of live animals that have been administered a drug banned for use in the U.S.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Patricia Stolfa, Deputy Administrator, International Programs, Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Ave., SW, Washington, DC 20250, 202 447-3473

RIN: 0583-AA59

121. ● VOLUNTARY INSPECTION OF EXOTIC ANIMALS

Legal Authority: 7 USC 1622; 21 USC 601 et seq

CFR Citation: 9 CFR 350; 9 CFR 352

Legal Deadline: None.

Abstract: This proposed rule would provide for the voluntary inspection of certain exotic animals under Food Safety and Inspection Service's voluntary inspection program and would provide for ante-mortem and post-mortem inspection on a fee-for-service basis of elk, deer, antelope, reindeer and water buffalo in the manner as is presently performed for American bison.

USDA—FSIS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Stds. and Proc. Branch, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA60

122. ● IMPLEMENTATION OF PORK IRRADIATION

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 327; 9 CFR 331; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations by adding new provisions addressing: labeling requirements for irradiated pork and products containing irradiated ingredients; the use of irradiation as an accepted method for the destruction of *Trichinella spiralis*; and the designation that establishment numbers for official irradiation facilities will bear the prefix "R." The proposed rule also makes several technical amendments necessitated by the primary changes mentioned above.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, 202 447-7617

RIN: 0583-AA61

123. ● CERTAIN PRODUCTS WITH MEAT INGREDIENTS -- EXEMPTIONS FROM DEFINITION OF A "MEAT FOOD PRODUCT"

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 301; 9 CFR 303

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection

regulations to exclude specific products and classes of products containing meat, meat byproducts, and/or meat food products from the definition "meat food product" and thereby would exempt these products from Federal inspection. The proposal identifies two broad conditions for exemption: (1) products containing 3 percent or less of raw meat or other portion of any carcass, or less than 2 percent of cooked meat or other portion of any carcass, and (2) products that historically have not been considered by consumers as products of the meat food industry. This proposal would replace current informal standards for exemptions with formal, codified exemptions.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-4293

RIN: 0583-AA62

124. ● USE OF CERTAIN BINDERS IN MEAT AND POULTRY PRODUCTS AND TRANSFER OF BINDERS IN TEXT TO THE TABLES OF APPROVED SUBSTANCES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None.

Abstract: This rule would permit the use of wheat gluten, tapioca dextrin, whey protein concentrate, and sodium caseinate as binders in various meat and poultry products. This action responds to petitions submitted by several companies requesting that the Food Safety and Inspection Service permit these substances in various meat and poultry products to improve the texture of the products.

Timetable:

Action	Date	FR Cite
ANPRM	03/28/88	
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling

Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-4293

RIN: 0583-AA64

125. ● IMMERSION CURED AND DRY CURED BACON

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would limit nitrate to 120 parts per million (ppm) going into immersion cured bacon bellies and to 200 ppm going into dry cured bacon bellies. The principal effect of this proposed rule would be to reduce the formation of nitrosamines in bacon by prohibiting the use of nitrate in the production of immersion cured and dry cured bacon.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2158 South Bldg., Washington, DC 20250, 202 447-3840

RIN: 0583-AA65

126. ● CONTROL OF ADDED SUBSTANCES AND LABELING REQUIREMENTS FOR TURKEY HAM PRODUCTS

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the definition and standard and labeling requirements for turkey ham products. The current provision limits the amount of added water and other substances contained in turkey ham products by requiring the weight of the finished product to be no more than the original weight of the turkey thigh meat used prior to curing. This provision would be replaced by provisions specifying a minimum meat protein content on a fat free basis (PFF) in various turkey ham products. Compliance procedures to assure conformance with the proposed standards would be based on

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contemporary statistical science applied to current processing.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, 202 447-4293

RIN: 0583-AA66

127. • ADDITIONAL TRICHINA DETECTION METHODS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the regulations to permit use of an approved method for examining swine for evidence of trichinosis. The Food Safety and Inspection Service (FSIS) has been petitioned by a manufacturer of serological tests to amend the Federal meat inspection regulations to approve the use of immunoassays for the examination of swine for evidence of trichinosis infection. FSIS has reviewed the performance of the petitioner's assay in a laboratory where sera prepared by the Agency were tested by a precisely defined procedure and has concluded that immunoassays can effectively detect evidence of trichinosis in swine.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2159 South Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA67

128. • NET WEIGHT

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would make Federal and State weights and measures procedures and techniques more consistent, objective and equitable. Under the proposed rule, USDA would adopt the National Bureau of Standards Handbooks 133 and 44 as its standards. The proposed amendment would recognize a fixed amount of acceptable moisture loss by product. This will replace the term "reasonable variation." Moreover the amendment will grant concurrent jurisdiction to State and local authorities to enforce net weight labeling of federally inspected meat and poultry products within their geographic area. The amendment will promote uniform treatment of moisture loss and weights and measures standards as well as encourage and enable greater State and local participation.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment	10/01/88	
Period End		

Small Entity: No

Agency Contact: John McCutcheon, Deputy Administrator, Meat & Poultry Inspection Technical Services, Department of Agriculture, Food Safety and Inspection Service, Rm. 350-E, Administration Bldg., Washington, DC 20250, 202 447-3521

RIN: 0583-AA69

129. • ADDITIONAL TRICHINA DETECTION METHODS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the regulations to permit use of an approved method for examining swine for evidence of trichinosis. The Food Safety and Inspection Service (FSIS) has been petitioned by a manufacturer of serological tests to amend the Federal meat inspection regulations to approve the use of immunoassays for the examination of swine for evidence of trichinosis infection. FSIS has reviewed the performance of the petitioner's assay in a laboratory where sera prepared by the Agency were tested by a precisely

defined procedure and has concluded that immunoassays can effectively detect evidence of trichinosis in swine.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2159 South Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA70

130. • LABELING OF MEAT FOOD PRODUCTS THAT CONTAIN MECHANICALLY SEPARATED (SPECIES) UNDER CERTAIN CIRCUMSTANCES

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 317

Legal Deadline: None.

Abstract: This proposed rule would add a new exception to the requirement that the list of ingredients on the labels of meat food products shall show the common or usual names of the ingredients. The exception would apply to the use of Mechanically Separated (Species) (MS(S)), at levels no greater than ten percent of the livestock and poultry product portion of a meat food product, providing that the labeling of such product bear a calcium content declaration in accordance with section 317.2(j)(13)(ii) of the Federal meat inspection regulations (9 CFR 317.2(j)(13)(ii)). This action is the result of a petition submitted to the Food Safety and Inspection Service by several members of the meat industry to amend the labeling requirements for meat food products containing MS(S).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-4293

RIN: 0583-AA71

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

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**131. STANDARD FOR
FRANKFURTERS AND SIMILAR
COOKED SAUSAGES**
Significance: Regulatory Program**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 319**Legal Deadline:** None.

Abstract: USDA has been petitioned by the American Meat Institute (AMI) "to promulgate a standard of identity and composition for 'lite' sausage." The current cooked sausage standard includes various processed meat food products, such as frankfurters, hot dogs, weiners, viennas, bolognas, and knockwurst. The AMI petition requests a new standard for lower-fat "lite" sausage that would require not more than 22.5 percent fat and not less than 11.5 percent protein, as compared with 30 percent fat and 10 percent added water maximums in the existing cooked-sausage standard. FSIS proposed rule provides additional flexibility to enable industry to market lower fat products. The rule allows a combination of up to 40 percent added water and fat, with a 30 percent ceiling on fat content. The Agency also seeks comment on the option of deleting entirely the standard for cooked sausages. [FSIS 86-002]

Timetable:

Action	Date	FR Cite
NPRM	11/24/86	51 FR 42239
NPRM Comment Period End	03/23/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Department of Agriculture, Food Safety and Inspection Service, Standards and Labeling Division, MPITS, Washington, DC 20250, 202 447-6042

RIN: 0583-AA21
**132. DETERMINATION OF ADDED
WATER IN COOKED SAUSAGES**
Significance: Regulatory Program**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 317; 9 CFR 318**Legal Deadline:** None.

Abstract: Would publish protocols for determining compliance of meat food products with current added water standards. Would differentiate in such

products protein derived from meat and meat byproducts from protein derived from other sources. Would ensure that similar, competing ingredients for cooked sausages are treated consistently.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	
NPRM Comment Period End	10/19/87	
Final Action	04/15/88	
Final Action Effective	05/15/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311-Cotton Annex, Washington, DC 20250, 202 447-6042

RIN: 0583-AA30
**133. CATTLE POST - MORTEM
INSPECTION PROCEDURES AND
STAFFING PROCEDURES**
Significance: Regulatory Program**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 307; 9 CFR 310**Legal Deadline:** None.

Abstract: This proposed rule would improve post-mortem inspection procedures for cattle which will result in maximum inspection efficiency and increased productivity. By modernizing cattle inspection procedures, FSIS would increase its inspection productivity while assuring that only wholesome meat enters domestic commerce.

It is anticipated that the meat industry will experience a net gain if this system of inspection is implemented in spite of the initial costs of facility modifications which may be necessary in some establishments. Savings to the industry as a whole should occur because of increased productivity and reduced overtime.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	
NPRM Comment Period End	11/30/87	
Final Action	04/01/88	

Small Entity: No

Agency Contact: Douglas Berndt, Director, Slaughter Inspection Standards & Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA32
**134. DISPOSAL OF LIVESTOCK
CARCASSES AND PARTS
CONDEMNED FOR BIOLOGICAL
RESIDUES**
Legal Authority: 21 USC 601 et seq**CFR Citation:** 9 CFR 309; 9 CFR 310; 9 CFR 314**Legal Deadline:** None.

Abstract: This proposed rule would amend the Federal meat inspection regulations governing methods of handling and disposing of livestock carcasses and parts condemned because they bear or contain biological residues. Current regulations do not require methods of disposal that preclude use of such carcasses or parts in nonhuman food such as animal feed. FSIS believes that such condemned articles must be destroyed by incineration or burial. This would make disposition of livestock carcasses and parts condemned for biological residues consistent with regulations which govern the disposition of poultry carcasses and parts condemned for biological residues.

Timetable:

Action	Date	FR Cite
NPRM	06/08/87	52 FR 21561
NPRM Comment Period End	08/07/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards and Procedures, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 4444-South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA33
**135. BINDER CONSISTING OF SODIUM
ALGINATE, CALCIUM CARBONATE,
LACTIC ACID, AND CALCIUM
LACTATE**
Legal Authority: 21 USC 601 et seq

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CFR Citation: 9 CFR 318**Legal Deadline:** None.

Abstract: This final rule will permit the use of a binder complex approved for use in restructured meat products to be used in restructured poultry products in which binders are permitted, and will result in superior binding of chopped/ground/sectioned and formed poultry products.

Timetable:

Action	Date	FR Cite
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA34

136. ELIMINATION OF SEALING REQUIREMENT FOR RENDERED EDIBLE ANIMAL FAT

Legal Authority: 21 USC 601 et seq**CFR Citation:** 9 CFR 316; 9 CFR 317; 9 CFR 350**Legal Deadline:** None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to allow inspected and passed rendered edible animal fat transported in properly labeled tank cars or trucks to move in commerce without an official seal. Currently, establishments which process and then transport edible animal fat to another establishment must have the means of conveyance sealed with an official seal by a program employee. Establishments receiving the officially sealed product must have the seal broken by a program employee. This action would remove a restrictive sealing requirement that no longer appears to be necessary.

Timetable:

Action	Date	FR Cite
NPRM	12/01/87	52 FR 45639
NPRM Comment Period End	02/01/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Div, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 2158 South Bldg., Washington, DC 20250, 202 447-3840

RIN: 0583-AA36

137. RANDOM WEIGHT PACKAGES; STATEMENT OF NET WEIGHT DECIMAL PLACES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq**CFR Citation:** 9 CFR 317; 9 CFR 381**Legal Deadline:** None.

Abstract: This final rule will allow net weight statements on random weight packages of meat and poultry products to be expressed in terms of three or more decimal places. Currently, these statements are limited to two decimal places. The rule would facilitate the use of modern weighing equipment and permit the statement of net weight on packages to be expressed in accordance with the weighing equipment's capabilities.

Timetable:

Action	Date	FR Cite
NPRM	06/30/87	52 FR 24475
NPRM Comment Period End	08/31/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 2158-South Bldg., Washington, DC 20250, 202 447-3840

RIN: 0583-AA37

138. STREAMLINED INSPECTION SYSTEM FOR BROILERS AND CORNISH GAME HENS

Significance: Agency Priority**Legal Authority:** 21 USC 451 et seq**CFR Citation:** 9 CFR 381**Legal Deadline:** None.

Abstract: This final rule will establish a new inspection system for broilers and cornish game hens in response to increased demands on Agency resources. The "streamlined inspection system" allows increased efficiency in

the use of FSIS resources and those of the poultry industry while still providing consumers with wholesome, unadulterated products.

Certain changes in plant facilities are required but should result only in minor expenditures. The industry will realize gains through reduced charges for overtime, reduced workspace requirements, and increased productivity.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/29/86	51 FR 3569
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards and Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA38

139. ASCORBIC ACID, ERYTHORBIC ACID, CITRIC ACID, SODIUM ASCORBIC, AND SODIUM CITRATE IN FRESH PORK CUTS

Legal Authority: 21 USC 601 et seq**CFR Citation:** 9 CFR 317; 9 CFR 318**Legal Deadline:** None.

Abstract: This final rule will permit the use of ascorbic acid, citric acid, erythorbic acid, sodium ascorbate, and sodium citrate, singly or in combination to maintain the color of fresh pork cuts. Fresh pork cuts which have been treated to maintain color by the addition of these substances will be required to be labeled with a qualifying phrase, contiguous to the product name, which indicates that they have been treated to maintain color. Use of these substances will result in maintenance of color for a period of time equivalent to the microbiological shelf life of fresh pork cuts. This will permit extended distribution of pork cuts prepared and packaged in federally inspected establishments. The petitioner has supplied FSIS with sufficient information to satisfy the requirements of 9 CFR 318.7(a)(2) which provide for the issuance of a final rule. However, due to the potential significance of

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color maintenance through the use of added substances, this rule was published as an interim final rule with request for comments so that commercial and public comment can be obtained and considered prior to confirmation of the rule as final.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/22/86	51 FR 30052
ANPRM Comment Period End	12/22/86	
Final Action	06/15/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Room 311-Annex Bldg., Washington, DC 20250, 202 447-6042

RIN: 0583-AA40

140. DETERMINATION OF "ADDED WATER" IN COOKED SAUSAGES

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to define the method by which the Agency determines the quantity of added water in cooked sausages. Added water means any water not directly attributable to the meat, meat byproducts, mechanically separated (species), or poultry ingredients. The Federal meat inspection regulations limit the amount of added water to a maximum of 10 percent of the finished weight in cooked sausages. The amount of added water is determined by laboratory analysis and appropriate calculations. Discrepancies in the calculation of meat protein currently exist primarily due to the non-deduction from the total protein content of protein derived from certain non-meat protein sources. If the amount of protein derived from non-meat sources is not subtracted from the total protein content, it is possible that added water in excess of the 10 percent permitted by regulations would be present in the product. The proposed rule would correct this discrepancy.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 30925
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-6042

RIN: 0583-AA41

141. INGREDIENTS THAT MAY BE IDENTIFIED AS FLAVORS OR NATURAL FLAVORS WHEN USED IN MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317, 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat and poultry products inspection regulations to better define which substances should be permitted to be labeled as "flavors," "natural flavors," or "spices" on packages of meat and poultry products. The proposed rule addresses the use of substances which are often added to products for the purpose of serving as flavor enhancers, emulsifiers, stabilizers, binders, extenders, and as nutrients. Most of the substances that would be affected by the proposed rule are proteinaceous materials, having nutritional value, and which may be considered foods, in their own right. The proposed rule would require that these substances be identified by their common or usual names, thereby informing consumers of the origin of these materials including the species and specific animal tissues from which they are derived, if animal in origin. The proposed rule is designed in part to address the personal, cultural, and religious concerns of consumers, as well as the allergies or sensitivities some consumers may have to some of the substances.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 30922
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-6042

RIN: 0583-AA44

142. SAFETY AND SANITATION REQUIREMENTS FOR ELECTRICAL STIMULATING EQUIPMENT

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 307, 9 CFR 308

Legal Deadline: None.

Abstract: This final rule will amend the Federal meat inspection regulations to specify safety and sanitation requirements for electrical stimulating (EST) equipment. Federally inspected establishments may use EST equipment to accelerate rigor mortis in slaughtered meat animals (cattle, sheep, swine, goats, horses, mules, or other equines). The safety requirements would protect inspection personnel working near that equipment from the hazard of potentially lethal electric shock or other injury. The sanitation requirements would prevent adulteration of the carcasses.

Timetable:

Action	Date	FR Cite
NPRM	04/16/87	52 FR 12422
NPRM Comment Period End	06/12/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Karen Wesson, Director, Sanitation Division, Department of Agriculture, Food Safety and Inspection Service, Rm 1140-South Bldg., Washington, DC 20250, 202 447-3885

RIN: 0583-AA45

143. USE OF AIR FOR CARCASS HIDE REMOVAL

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 310

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to allow the use of air to facilitate hide removal. Any

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establishment interested in using air for such purpose would be required to submit proposed procedures to FSIS for approval prior to its use.

Timetable:

Action	Date	FR Cite
NPRM	11/01/87	
NPRM Comment Period End	01/01/88	
Final Action	03/01/88	
Final Action Effective	04/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards, and Procedures, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 4444-South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA48

144. ANTIOXIDANTS IN FABRICATED STEAKS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This final rule will allow for the use of certain approved antioxidants in fabricated steaks for the purpose of retarding rancidity. Thus, cooked and raw fabricated steaks will be added to the list of meat products in which butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), propyl gallate and tertiary butylhydroquinone (TBHQ) may be used.

Timetable:

Action	Date	FR Cite
Final Action	03/01/88	
Final Action Effective	04/01/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA50

145. NOTICE OF PROCEEDINGS

Significance: Agency Priority

Legal Authority: PL 99-641, Sec 403 (c) (2)

CFR Citation: 9 CFR 335

Legal Deadline: None.

Abstract: This final rule will respond to change made in FMIA by Processed Products Improvement Act of 1986 which provides for prior notice and an opportunity to present views before a violation of FMIA is reported for criminal prosecution, except in cases where excepted by regulation. This rulemaking establishes exceptions to notice and opportunity to present views.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/27/87	52 FR 13827
Final Action	06/01/88	

Small Entity: No

Agency Contact: Robert W. Gonter, Assistant Deputy Administrator, Compliance Program MPIO, FSIS, Department of Agriculture, Food Safety and Inspection Service, Room 2933 - South Bldg., 14th & Independence Ave., SW, Washington, DC 20250, 202 447-7745

RIN: 0583-AA51

146. REQUIREMENTS FOR IMPORTED POULTRY PRODUCTS

Significance: Agency Priority

Legal Authority: PL 99-198

CFR Citation: 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would respond to an amendment made to the Poultry Products Inspection Act by Food Security Act of 1985. Amendment requires that all poultry or poultry products intended for export to the United States be subject to the same standards as domestic poultry products; it also requires that foreign countries implement species and residue testing programs at the point of slaughter for poultry and poultry products intended for export to the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/01/87	52 FR 15960
NPRM Comment Period End	08/30/87	
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: William Havlik, Assistant Deputy Administrator, International Programs, FSIS, Department of Agriculture, Food Safety and Inspection Service, Rm. 341-E Administration Bldg., 14th & Independence Ave., SW, Washington, DC 20250, 202 447-2644

RIN: 0583-AA52

147. TOTAL QUALITY CONTROL FOR LABELING

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This rule will expand the concept of generically approved labeling for meat and poultry products by those establishments operating a USDA-approved Total Quality Control System that could develop an acceptable plan for controlling the labeling of their products.

Timetable:

Action	Date	FR Cite
NPRM	09/25/85	50 FR 38824
NPRM Comment Period End	04/17/86	51 FR 7283
Final Action	06/00/88	

Small Entity: No

Agency Contact: Margaret O.K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, 202 447-4293

RIN: 0583-AA63

148. SULFONAMIDE AND ANTIBIOTIC RESIDUES IN YOUNG VEAL CALVES; REDUCED TESTING

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: This rule would amend the Federal meat inspection regulations to modify the testing frequency of young veal calves under certain conditions for residues of sulfonamides and antibiotics.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/20/87	52 FR 2101

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Action	Date	FR Cite
Final Action	00/00/00	
Small Entity: No		

Agency Contact: W. R. Miller, Director,
Residue Evaluation and Planning
Division, Department of Agriculture,
Food Safety and Inspection Service,

14th & Independence Ave., SW,
Washington, DC 20250, 202 447-2807
RIN: 0583-AA68

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Completed Actions

149. IDENTIFICATION SERVICE FOR POULTRY**CFR Citation:** 9 CFR 362**Completed:**

Reason	Date	FR Cite
Final Action	02/03/88	53 FR 3146

Small Entity: No

Agency Contact: Mr. Bill F. Dennis 202 447-3840**RIN:** 0583-AA35**CFR Citation:** 9 CFR 88; 9 CFR 309; 9 CFR 310; 9 CFR 320**Completed:**

Reason	Date	FR Cite
Transferred to APHIS	09/01/87	

Small Entity: No

Agency Contact: Douglas L. Berndt 202 447-3219**RIN:** 0583-AA39**151. FACILITY AND EQUIPMENT REQUIREMENTS FOR THE STREAMLINED INSPECTION SYSTEM FOR BROILERS AND CORNISH GAME HENS****Significance:** Agency Priority**CFR Citation:** 9 CFR 381**Completed:**

Reason	Date	FR Cite
Final Action	10/21/87	52 FR 39207
Final Action Effective	12/21/87	

Small Entity: No

Agency Contact: Douglas L. Berndt 202 447-3219**RIN:** 0583-AA56**150. SWINE IDENTIFICATION AND RECORD KEEPING AT MARKETS AND AT OFFICIAL SLAUGHTERING ESTABLISHMENTS****Significance:** Agency Priority

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)

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152. DETERMINATION OF THE MARKET STABILIZATION PRICE FOR SUGAR FOR FY 1988**Legal Authority:** Presidential Proclamation 5002; dated November 30, 1982**CFR Citation:** 7 CFR 6.300 to 6.302**Legal Deadline:** None.

Abstract: This notice sets forth the market stabilization price for sugar for the period October 1, 1987 - September 30, 1988. The Market Stabilization Price is used to determine bond requirements and maximum liabilities under certain programs authorized by Presidential Proclamation No. 5002 of November 30, 1982 (47 FR 54269). The calculation of the Market Stabilization Price is provided for in 7 CFR 6.300-6.302 (50 FR 36040). (FAS 86-003)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard J. Finkbeiner, Regulatory Coordinator, Department of

Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA20**153. DETERMINATION OF IMPORT QUOTAS ON SUGAR FOR FISCAL YEAR 1988****Legal Authority:** Presidential Proclamation 4941; dated May 5, 1982**CFR Citation:** Not applicable

Legal Deadline: Statutory. Import quotas on sugar for fiscal year 1987 must be announced (filed in Federal Register) no later than the 15th day of the month immediately preceding the calendar quarter during which such determination shall be in effect.

Abstract: Presidential Proclamation 4941 dated May 5, 1982 amended headnote 3 of the Subpart A, Part 10, Schedule 1 of the Tariff Schedules of the United States (TSUS) (Headnote 3) to establish a system of quotas for U.S. sugar imports. (FAS 86-004)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard J. Finkbeiner, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA21**154. TYPES AND QUANTITIES OF AGRICULTURAL COMMODITIES AVAILABLE FOR DONATION OVERSEAS UNDER SECTION 416(B) OF THE AGRICULTURAL ACT OF 1949 FOR EACH FISCAL YEAR****Legal Authority:** for future FY's: Food Security Act of 1985**CFR Citation:** Not applicable**Legal Deadline:** None.

Abstract: For FY 1986: The "Food Security Improvements Act of 1986" amends the Food Security Act of 1985, as amended, to require an estimate of

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Proposed Rule Stage

Commodity Credit Corporation stocks to be made available under Section 416(b) in FY 1986 by kind of commodity and quantity of each kind of commodity. The Food Security Act, as amended requires that this estimate be published in the Federal Register.

For future FY's: The Food Security Act of 1985, as amended, requires the above

estimate be made and published in the Federal Register before the beginning of each fiscal year. (FAS 86-009)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard Finkbeiner, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA23

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Forest Service (FS)

155. PART 219 PLANNING

Significance: Agency Priority

Legal Authority: 16 USC 1604; 16 USC 1613; 5 USC 301

CFR Citation: 36 CFR 219

Legal Deadline: None.

Abstract: The rules at 36 CFR 219 set forth the procedures and resource standards that guide development and approval of National Forest land and resource management plans as required by the National Forest Management Act of 1976.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/89	
End Review	10/00/89	

Small Entity: No

Additional Information: Review of these planning regulations is being rescheduled to allow completion of all forest plans. It is essential to orderly planning for National Forest System lands and resources that the planning process remain stable until all plans are completed. Review of 36 CFR 219 is therefore rescheduled to begin April 1989.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA50

156. OFFICIAL FOREST SERVICE INSIGNIA

Legal Authority: 5 USC 301; 18 USC 701

CFR Citation: 36 CFR 264; 36 CFR 264.1; 36 CFR 264.2; 36 CFR 264.3; 36 CFR 264.4; 36 CFR 264.5

Legal Deadline: None.

Abstract: Since 1905 the Forest Service emblem, a fir-like tree in the center of a shield, has served to identify the Federal Agency responsible for protecting, managing, and developing the National Forests. Forest users and the public recognize it as a symbol of the organization. The Chief may authorize other uses of the insignia, i.e., public service, educational, and commercial purposes through the issuance of licenses. Rules governing the external use of the official insignia are set forth at 36 CFR Part 264. The rule authorizes commercial use for which a royalty is paid and for public use for which no royalty is paid. Review of the existing regulation will determine the need for licensed royalty payment and the need for changing reporting requirements from quarterly to annually. Current licensees will participate in the review process.

Timetable:

Action	Date	FR Cite
Begin Review	04/15/87	
End Review	06/30/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA59

157. 36 CFR 262 LAW ENFORCEMENT SUPPORT ACTIVITIES

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 683; 7 USC 1011(f); 16 USC 1246(e); 16 USC 1133(c) to (d)(1); 16 USC 559(a)

CFR Citation: 36 CFR 262

Legal Deadline: None.

Abstract: These rules describe awards the Forest Service is authorized to

make for information leading to arrest and convictions of persons who start fires or otherwise destroy property on National Forests. Subpart B sets forth rules governing impoundment or removal of unauthorized personal property from National Forest System lands.

Review will focus on the adequacy of the rules for administration of the National Forests and whether changes in law or circumstances reveal the need for revision.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: Not Applicable

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA65

158. 36 CFR 271 - USE OF "SMOKEY BEAR" SYMBOL

Legal Authority: 18 USC 711

CFR Citation: 36 CFR 271

Legal Deadline: None.

Abstract: The regulations govern how the name or image of "Smokey Bear" may be used, who may authorize the use of "Smokey Bear," and the use of official campaign materials, commercial licensing, and the association with the State Foresters and the Advertising Council. This review will focus on licensing and especially exclusive licenses and will consider counterpart regulations in Part 272-Use of "Woodsy Owl" Symbol as a possible approach

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Prerule Stage

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA66

159. WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Legal Authority: 16 USC 472; 16 USC 551

CFR Citation: 36 CFR 292, Subpart B

Legal Deadline: None.

Abstract: The rules at 36 CFR 292, Subpart B govern joint administration of the Shasta and Clair Engle-Lewiston units of the National Recreation Area by the Forest Service and the Bureau of Reclamation. The rules also set forth standards for defining compatible private land uses within the National Recreation Area to govern decisions by local zoning authorities, or in the absence of such authorities, decisions on land uses by the Secretary of Agriculture. The review will focus on experience under the rules and whether they still serve the public interest in ensuring that development and management of the NRA meet congressional intent.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/88	
End Review	01/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA68

160. 36 CFR 261 PROHIBITIONS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 683; 7 USC 1011(f); 16 USC 1246(e); 16 USC 1133(c) to (d)(1); 16 USC 559(a)

CFR Citation: 36 CFR 261, Prohibitions

Legal Deadline: None.

Abstract: These rules declare the range of unacceptable public behavior when visiting or using National Forest System lands. Among topics covered are prohibitions on setting campfires in certain areas, unlawful cutting of trees, and other unlawful uses of resources and property of the National Forest System. Violations of these prohibitions carry legal penalties.

Review will examine the adequacy of the rules for administration of the National Forest System and whether changes in conditions, laws, or other factors require revision.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: Not Applicable

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA75

161. USE OF "WOODSY OWL" SYMBOL

Legal Authority: 7 USC 2201; 16 USC 528; 16 USC 529; 16 USC 530; 16 USC 531

CFR Citation: 36 CFR 272; 36 CFR 272.1; 36 CFR 272.2; 36 CFR 272.3; 36 CFR 272.4; 36 CFR 272.5; 36 CFR 272.6

Legal Deadline: None.

Abstract: Woodsy Owl was originated in the early 1970s by the Forest Service, the Federal Agency responsible for protecting, managing, and developing the National Forest. The symbol represents a fanciful owl who wears forest green colored slacks, a brown colored belt, a Robin Hood style forest green colored hat with a red colored feather and furthers the slogan "Give a Hoot, Don't Pollute." The Chief of the Forest Service may authorize the use of Woodsy Owl through the issuance of licenses for commercial use, under certain specified conditions, and for non-commercial educational purposes, at no charge, when use is public service and will contribute to public information and education concerning wise use of the environment and programs which foster maintenance and improvement of environmental quality. Rules concerning the external use of the

Woodsy Owl symbol are set forth at 36 CFR Part 272. The rule authorizes commercial use for which a royalty is paid and for public use for which no royalty is paid. Review of the existing regulation will determine the need for licensed royalty payment and the need for changing reporting requirements from quarterly to annually. (cont)

Timetable:

Action	Date	FR Cite
Begin Review	04/15/88	
End Review	10/31/88	

Small Entity: No

Additional Information: ABSTRACT

CONT: Current licensees will participate in the review process.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA76

162. ● 36 CFR 241 WILDLIFE: COOPERATION IN WILDLIFE PROTECTION, WILDLIFE MANAGEMENT AND FEDERAL REFUGE REGULATIONS

Legal Authority: Sec 1, 30 Stat 35; Sec 1, 33 Stat 628; Sec 1, 39 Stat 476; 16 USC 472, 551, 683

CFR Citation: 36 CFR 241

Legal Deadline: None.

Abstract: The rule is being reviewed as required by E.O. 12291 which requires the review of existing rules on a five year cycle. The Forest Service does not anticipate substantial public comment to 36 CFR 241 as it has been successfully applied.

36 CFR 241.1 describes Forest Service cooperation with State, County and Federal officials in the enforcement of all laws and regulations for the protection of wildlife through lawful appointments of Forest Service employees to deputy game wardens with full power to enforce state laws and regulations.

36 CFR 241.2 describes how Forest Service cooperates with states in developing plans for securing and maintaining desirable populations of wildlife species including entry into cooperative agreements for such purposes.

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Prerule Stage

36 CFR 241.3 regulates hunting of game or non-game animals on Forest Service lands not managed cooperatively with states by requiring persons desiring to hunt to procure a permit from the Forest Supervisor. Forest Service will cooperate with persons, firms, corporations and county and state officials in the management of animals on national forest lands not having (CONT)

Timetable:

Action	Date	FR Cite
Begin Review	02/01/88	
End Review	09/02/88	

Small Entity: No

Additional Information: ABSTRACT CONT: cooperative agreements for wildlife management with states. The Forest Service may sell or exchange or accept donations of animals in promoting conservation of wildlife.

Government Levels Affected: Local, State, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA81

163. ● ISOLATED CABIN AUTHORIZATIONS

Significance: Agency Priority

Legal Authority: 16 USC 551; 16 USC 497

CFR Citation: 36 CFR 251

Legal Deadline: None.

Abstract: Agency policy is to terminate isolated cabin authorizations on National Forest System land that were constructed without advance authorization and subsequently authorized by special use permit. These cabins are used for part- or full-time occupancy. These cabins differ from recreation residences which were established in tracts specific for this purpose and built with Agency approval and supervision. Isolated cabins originated in several ways, including encroachment and mining claims. They restrict management of the surrounding National Forest land and deprive the public from the use and enjoyment of the land actually occupied and the surrounding area. The action proposed is to seek input from the public as to whether the present policy should be continued, or whether it should be revised so as to examine each isolated occupancy and determine whether, in the interests of fairness and

equity, the cabin should be converted to a recreation residence. (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	07/01/88	
ANPRM	09/30/88	
Comment Period End		

Small Entity: No

Additional Information: ABSTRACT CONT: This proposal to revise current policy, originally included in proposed policy on recreation residences (52 FR 206-208). Public comments and continuing discussions with recreation residence permittees on that policy revealed widely divergent views on the Agency's policy, strongly suggesting that isolated cabins be treated separately from recreation residences. Therefore, so as to not further delay implementation of final policy on recreation residences, a decision has been made to seek additional public comment on the isolated cabin policy before a decision is made to revise the policy.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA85

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

Proposed Rule Stage

164. ACCESS TO NON-FEDERAL LANDS

Legal Authority: PL 96-487, Sec 1323(a); 16 USC 3210(a)

CFR Citation: 36 CFR 251.53; 36 CFR 251.80

Legal Deadline: None.

Abstract: The proposed regulation will tie the granting of special-use authorizations for ingress and egress under the Alaska National Interest Lands and Conservation Act (ANILCA) to the existing authorities for granting authorizations to use or occupy National Forest lands and remove the discretionary aspects of those laws and regulations when applied to parties qualifying for access under ANILCA. (FS 85-001)

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	04/00/88	
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA31

165. GRAZING AND LIVESTOCK USE AND MANAGEMENT OF WILD, FREE-ROAMING HORSES AND BURROS

Legal Authority: 43 USC 1901; 16 USC 1331 to 1340; 16 USC 551; 7 USC 1011; 31 USC 9701

CFR Citation: 36 CFR 222, Subpart A; 36 CFR 222, Subpart B

Legal Deadline: None.

Abstract: Minor amendments to 36 CFR 222, Subparts A and B are under consideration to (1) delete the portion pertaining to Grazing Advisory Boards since the authority for these Boards under FLMA expired 12/31/85, (2) refine the procedures for placing wild horses and burros in private maintenance and care, (3) clarify the notification allowed before cancelling a permit when lands grazed are to be devoted to another public purpose

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including disposal, and (4) delete the reference to the Granger-Thye Act concerning range improvements, and (5) authorize the Chief of the Forest Service to assess a service charge to recover the cost of processing grazing permit applications and permit waivers, and issuing grazing permits. (FS 86-004)

Timetable:

Action	Date	FR Cite
Review of Subpart B - notice of completion of review; no change in rules required	08/14/87	52 FR 30359
Subpart A		
NPRM 04/00/88		
NPRM Comment Period End 06/00/88		
Final Action 01/00/89		
Final Action Effective 02/00/89		

Small Entity: No

Additional Information: The dates projected are for proposed and final rules revising 36 CFR 222, Subpart A-grazing and livestock use. No further rulemaking activity is planned on Subpart B. The review of Subpart B pursuant to E.O. 12291 concluded that there is no need to revise these rules (See Timetable).

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA35

166. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

Significance: Regulatory Program

Legal Authority: 43 USC 1764; 31 USC 483a; 30 USC 181 (Mineral Leasing Act)

CFR Citation: 36 CFR 251.58

Legal Deadline: None.

Abstract: The objective of the rulemaking is to establish the policy, procedures, and guidelines for recovering costs incurred by the Forest Service in the administration of special uses on National Forest System Lands. In addition, the rulemaking will propose minor clarifying amendments resulting from conclusion of review of the

existing regulation. (RIN 0596-AA20) (FS 86-005)

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/30/88	
Final Action Effective	01/29/89	

Small Entity: No

Additional Information: This rulemaking will incorporate actions under 0596-AA20.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA36

167. MODIFY THE GENERAL PROHIBITION AGAINST USE OF VEHICLES IN EXCESS OF 40 INCHES IN WIDTH ON TRAILS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 261.12(e)

Legal Deadline: None.

Abstract: The objective of this action is to permit forest officers more discretion for controlling off-road vehicle use. Three factors have created the need to modify this regulation: (1) the general prohibition at 36 CFR 261.12(e) controls trail use by width of vehicle. Originally developed to control four wheel-drive vehicles on trails, this method uses a fairly arbitrary device (width) to control use; (2) off-road vehicle plans (36 CFR 295) use vehicle types to prescribe the vehicles that are permitted to use forest trails; (3) some recent models of trail vehicles (all terrain vehicles and snowmobiles) exceed the forty inch rule by one to five inches. The combination of the two methods of control with the larger model sizes has created confusion among users about ORV plan direction and created law enforcement difficulties. The proposed action would clarify the regulations and still maintain the tools necessary to control off-road vehicle use. (FS 86-007)

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	

Action	Date	FR Cite
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA38

168. REVISE THE DEFINITION OF "MECHANICAL TRANSPORT" AT 36 CFR 293.6(A)

Legal Authority: 16 USC 113 to 136; 16 USC 528 to 531; 16 USC 577 to 577c; 16 USC 1133

CFR Citation: 36 CFR 293.6(a)

Legal Deadline: None.

Abstract: The objective of this action is to clarify the definition of mechanical transport in 36 CFR 293.6(a). Except where specifically provided for, the Wilderness Act (16 USC 1133) prohibits both motorized equipment and mechanical transport. Mechanical transport includes devices such as bicycles, hang gliders, wheeled carts, and other items designed to carry people or supplies and powered by either "non living" or "living" power sources. (FS 86-009)

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	02/00/89	
Final Action Effective	02/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA39

169. CONSERVATION OF FISH, WILDLIFE, AND THEIR HABITATS ON THE COPPER RIVER ADDITION AND COPPER RIVER-BERING RIVER PORTION, CHUGACH NATIONAL FOREST, ALASKA

Legal Authority: PL 96-487, Title V

CFR Citation: Not yet determined

USDA—FS

Proposed Rule Stage

Legal Deadline: None.

Abstract: December 2, 1980, the Alaska National Interest Lands Conservation Act was signed into law. Section 501 (b) of the law requires that the Secretary of Agriculture promulgate regulations for the conservation of fish and wildlife and their habitats on the Chugach National Forest. The general National Forest System regulations and other existing laws governing management of National Forest System lands are applicable except as supplemental by these regulations or amended by the ANILCA, August 17, 1984. The new Chugach National Forest land management plan was appealed by 17 appellants. The settlement agreement specifies that subject to valid existing rights, the Forest Service will not allow timber harvest, road construction, surface occupancy for mineral leasing prior to publication of final regulations or completion of management area analysis for the Copper River Management Area. There are no alternatives to development of these regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA41

170. LAND EXCHANGES

Significance: Agency Priority

Legal Authority: 16 USC 485; 16 USC 486; 16 USC 516; 7 USC 1011; 16 USC 555a; 43 USC 1715; 43 USC 1716

CFR Citation: 36 CFR 254.1, (Revision); 36 CFR 254.15, (Revision)

Legal Deadline: None.

Abstract: Changes in existing regulations are needed to correct errors, delete obsolete portions, update to reflect current authorities, clarify ambiguities, and supplement by incorporating new requirements on negotiation and resolution of disputes.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/31/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA42

171. DEFINITION OF COMMON VARIETY MINERAL MATERIALS

Legal Authority: 30 USC 601 et seq; 30 USC 603 to 604; 30 USC 601; 30 USC 603; 30 USC 602; 16 USC 477; 16 USC 520; 7 USC 1010; 30 USC 192c, Section 3; 16 USC 508b; Section 3, 66 Stat. 285; 16 USC 521a; 75 Stat. 205; 23 USC 101 et seq; 16 USC 539a, Section 502

CFR Citation: 36 CFR 228, Subpart C

Legal Deadline: None.

Abstract: Whether a mineral deposit is a "common variety" determines whether or not it can be disposed of or sold by the Government under the 1947 Mineral Materials Act. Judicial and administrative interpretations defining common variety characterization determinations can only be made in court. Rulings in common variety cases are generally unpredictable, and the costs to both the Government and miner are high.

After a review of the legislative history of the 1955 surface Resources Act, which defined common varieties, we believe that Congress did not intend for certain minerals to be locatable under the Mining Laws; however, a failure to explicitly define the "common variety" term has led to misinterpretation and actions contrary to the original intent of the law. It is proposed that 36 CFR 228 Subpart C be amended to clarify this confusing classification situation. We believe PL 167 expressly provides for this action as it allows the Secretary of Agriculture to dispose of mineral materials "under such rules and regulations as he may prescribe."

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	

Action	Date	FR Cite
Final Action	09/00/88	
Final Action Effective	10/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA44

172. REVISION OF TIMBER SALE CONTRACT FORMS FS-2400-6 AND FS-2400-6T

Significance: Regulatory Program

Legal Authority: 16 USC 535; 16 USC 551; 16 USC 472a; 16 USC 607A; 16 USC 618; 42 USC 4461

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: The present timber sale contract Form FS-2400-6 was developed in September 1973, and the Form FS-2400-6T was developed in October 1973. Since these dates several Acts, Laws, and policy changes have necessitated deletion of existing provisions and inserting supplemental provisions. The need to revise these documents has been recognized since the late 1970's. The revision will provide for clarification of provisions to reduce the potential for disputes between purchasers and the Forest Service. There will be no changes in the basic contract concepts except those dictated by law, regulation, and related policy. Comments from interested individuals and organizations will be utilized, as appropriate, in the formulation of the provision language.

Timetable:

Action	Date	FR Cite
Proposed Policy	05/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA45

173. LEASABLE MINERAL REGULATIONS

Significance: Regulatory Program

USDA—FS

Proposed Rule Stage

Legal Authority: 16 USC 473 to 475; 16 USC 477 to 482; 16 USC 551; 16 USC 528 to 531; 90 Stat. 2949 as amended

CFR Citation: 36 CFR 228, Subpart F to H

Legal Deadline: None.

Abstract: These subparts will set forth the rules by which the Forest Service will process and respond to proposal received from the Department of the Interior (DOI) for the issuance of mineral licenses, prospecting permits and leases, and for the approval of operating plans. The Forest Service has no regulations at this time which has resulted in inconsistent and untimely responses to the DOI. The only other alternative considered is not to promulgate regulations. Public costs are insignificant but public benefits could be substantial in that proposals should be processed more efficiently.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA46

174. APPLICATION PROCEDURES AND FEES FOR HYDROELECTRIC USES ON NATIONAL FOREST SYSTEM LANDS

Legal Authority: 16 USC 551; 43 USC 1761

CFR Citation: 36 CFR 251.54; 36 CFR 251.57

Legal Deadline: None.

Abstract: Regulations are needed to reduce confusion regarding the role of the Forest Service and its special-use authorization in permitting hydroelectric uses on National Forest System lands. The regulations objective will be to establish procedures, compatible with the procedures of the Federal Energy Regulatory Commission (FERC) for obtaining various approvals and involvement of the Forest Service in a timely manner.

Title V, Section 501 of the Federal Land Policy and Management Act of 1976

(FLPMA) requires that fees be paid for the use of NFS land; regulations have not yet been established to put these fees in effect. The objective is to establish a fee system for hydroelectric uses. A Notice of Proposed Policy was published 6/8/84 and comments were received. The proposed rule would take those comments into account.

Timetable:

Action	Date	FR Cite
NPRM	05/31/88	
NPRM Comment Period End	07/30/88	
Final Action	11/01/88	
Final Action Effective	12/01/88	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$2,033,000; Base Year for Dollar Estimates: 1986

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA47

175. LOCATABLE MINERALS

Significance: Agency Priority

Legal Authority: 16 USC 478; 16 USC 551

CFR Citation: 36 CFR 228, Subpart A

Legal Deadline: None.

Abstract: To facilitate the orderly development of locatable minerals on the National Forest System public domain in an environmentally sound manner. Since the regulations were promulgated in 1974, certain legal requirements have changed due to the provisions of the Wilderness Act and recent court decisions; some sections of the regulations no longer apply and revisions and updating are necessary. Major changes proposed will specifically address the requirements for wilderness operations and, secondly, will clarify the mechanism for administering locatable mineral activities not conducted on mining claims but which are nevertheless authorized by the 1872 mining law.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	09/01/88	

Action	Date	FR Cite
Final Action	03/01/89	
Final Action Effective	04/01/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA49

176. APPEAL OF DECISIONS OF FOREST OFFICERS

Significance: Agency Priority

Legal Authority: 30 Stat 35 as amended sec 1; 16 USC 551cc, 472, 33 Stat 628

CFR Citation: 36 CFR 211.18

Legal Deadline: None.

Abstract: Forest Service rules at 36 CFR 211.18 establish the process and procedures by which the public may appeal a National Forest System management decision. The regulation is being reviewed as required by EO 12291. The Forest Service recognizes the administrative appeal process as useful and worthwhile, and considers it to be a valuable tool in conducting business. However, there are opportunities to make the process more efficient and less burdensome on the public while maintaining a useful forum within which to administratively resolve conflict.

Timetable:

Action	Date	FR Cite
Begin Review	03/10/87	
ANPRM	06/11/87	52 FR 22348
ANPRM Comment Period End	07/13/87	
End Review	09/00/87	
NPRM	04/15/88	
NPRM Comment Period End	06/15/88	
Final Action	10/15/88	
Final Action Effective	10/15/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA51

USDA—FS

Proposed Rule Stage

177. GRAZING FEES; EASTERN AND SOUTHERN REGIONS**Significance:** Regulatory Program**Legal Authority:** 16 USC 551; 31 USC 483a; 43 USC 1901**CFR Citation:** 36 CFR 222.53**Legal Deadline:** None.

Abstract: Different grazing fee systems are used in the Eastern and Southern Regions of the Forest Service. The current system in the Eastern Region is market driven. The system in the Southern Region is based on a cost of livestock production/ability to pay methodology which currently results in below market fees. Two alternatives are being considered. The first would continue the two different fee systems in the eastern U.S. The second alternative would implement a uniform market driven fee system in both Regions. The advantages of this alternative over the first are:

- (1) Competitive bidding with a minimum bid price would be fair and equitable to all parties, the livestock owners and the government.
- (2) The fee system would be cost effective and economic to administer.
- (3) The fee system would provide for investments in cost effective range improvements on National Forest System lands in the eastern states.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	01/00/89	
Final Action Effective	03/01/89	

Small Entity: Undetermined

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA55**178. SKI AREA TERM PERMITS****Significance:** Agency Priority**Legal Authority:** PL 99-522, Sec 3(c)**CFR Citation:** 36 CFR 251.50, (Revision)

Legal Deadline: Statutory, October 22, 1987. A one-year deadline is specified in the law.

Abstract: P.L. 99-522 provides new authority and direction for granting permits authorizing ski development and operation. It requires promulgation of rules within one year of enactment. Current direction for issuing special use permits including ski areas is contained in 36 CFR 251.50 through 251.64. While most of the current direction will continue to apply, revisions will be necessary to respond to the special provisions of the law relating to permit duration and acreage to be authorized.

The law has the effect of eliminating the current need and practice to issue two permits to authorize a single resort to use more than 80 acres. Further, it authorizes the issuance of 40 year permits instead of 30 which has been the maximum in the past.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	02/00/89	
Final Action Effective	02/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA57**179. FREE USE TO ALASKAN SETTLERS, MINERS, RESIDENTS AND PROSPECTORS**

Legal Authority: 16 USC 477; 16 USC 492; 16 USC 551; 16 USC 607a; 16 USC 612

CFR Citation: 36 CFR 223.10**Legal Deadline:** None.

Abstract: The Forest Service provides free use timber to persons in Alaska with few restrictions. Increased urbanization of existing towns, changing ownership patterns, and creation of new communities have made it more difficult to manage this program. The Forest Service proposes to limit the free use amounts to households rather than to individuals.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
NPRM Comment Period End	05/01/88	

Action	Date	FR Cite
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA69**180. INCREASE IN MINIMUM RATES CHARGED FOR TIMBER****Legal Authority:** 16 USC 472a**CFR Citation:** 00 CFR None**Legal Deadline:** None.

Abstract: Minimum rates charged for timber have not been changed since 1979. The increased costs of preparing timber sales and the general increases in costs of logging and the price of timber have resulted in minimum rates that are disproportionately low. The action being considered is to increase minimum rates to account for inflationary increases since the rates were last changed.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	08/01/88	
Final Action	10/01/88	
Final Action Effective	11/01/88	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Local, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA73

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181. SALE OF TIMBER WHERE TOTAL PUBLIC BENEFITS MAY NOT MEET OR MAY EXCEED TOTAL COSTS

Legal Authority: 16 USC 472a; 16 USC 475; 16 USC 616; 16 USC 1604; 16 USC 1613

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The Forest Service has been developing an accounting system to accurately track the total public benefits and total cost of the timber sale program on each national forest. The new system is to be installed on all forests before the start of FY 1989. The data generated by this effort will provide a basis for monitoring the implementation of Forest Plans. This proposal would establish additional procedures for evaluation of the accounting data when projected costs appear to exceed the total public benefits of the program. Under the proposal, unless there are other overriding public values, the timber sale program would be adjusted to a point where the total public benefits equal the total cost of the sales program.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	06/15/88	
Final Action	08/15/88	
Final Action Effective	09/15/88	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Local, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA74

182. ● ADMINISTRATION OF EASEMENTS FOR WATER CONVEYANCE SYSTEMS

Significance: Agency Priority

Legal Authority: PL 99-545, Sec 1(c); 16 USC 524; 30 USC 51; 43 USC 661; 43 USC 1761; 43 USC 946 to 949

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Section 1(c) of Public Law 99-545 amended Section 501 of the Federal Land Policy and Management Act (43 USC 1761) to transfer from the Secretary, USDI to Secretary, USDA all responsibility for administering all rights-of-way on Federal lands administered by the Secretary, USDA. This transfer concerns grants and easements for rights-of-ways issued under several previous Acts, most of which have been repealed. The principal Statutes involved are the Act of July 16, 1866 and the Act of March 3, 1891. The authorizations primarily involve use of the Federal lands for water conveyance systems (irrigation ditches). The regulations will set forth direction and procedures to enable field personnel to administer the individual authorizations. Regulations are needed as the Act requires that the grants/easements be administered under the statutory provisions and regulations in effect at the time the authorizations were issued. Failure to promulgate regulations (no action alternative) would leave field personnel without guidance and create the possibility of actions by rights-of-way holders contrary to established land management procedures (CONT)

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	07/31/88	
Final Action	10/31/88	
Final Action Effective	11/30/88	

Small Entity: No

Additional Information: and damage to Federal land resources.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA78

183. ● REVISE SMALL TRACTS ACT REGULATIONS

Significance: Agency Priority

Legal Authority: 16 USC 521c-i

CFR Citation: 36 CFR 254.35 (revision); 36 CFR 254.41 (revision)

Legal Deadline: None.

Abstract: Application of the Act of January 12, 1983 (Small Tracts Act) has revealed an inadvertent inconsistency between the regulations at 36 CFR 254.35(f) and 254.41(a) and the legislative history of the Act. 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	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/01/88	
Final Action Effective	01/01/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA79

184. ● OIL AND GAS RESOURCES REGULATIONS

Legal Authority: 16 USC 473 to 475; 16 USC 477 to 482; 16 USC 551; 16 USC 528 to 531; 90 Stat. 2949 as amended

CFR Citation: 36 CFR 228 Subpart E

Legal Deadline: None.

Abstract: This subpart will set forth the rules by which the Forest Service will process and respond to the proposals received from the Department of the Interior for the issuance of mineral leases and approval of operations. These rules will describe how the Forest Service will consent to or not object to lease issuance, administer oil and gas operations, determine if a lessee or assignee may obtain future leases or assignments, and establish standards for reclamation and bonding, as required in the Federal Onshore Oil and Gas Leasing Reform Act of 1987. The Forest Service has no regulations

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at this time which could result in inconsistent administration. The only other alternative considered is not to promulgate regulations. Public costs are insignificant but public benefits could be substantial in that proposals should be processed more efficiently.

Timetable:

Action	Date	FR Cite
NPRM	03/12/88	
NPRM Comment Period End	04/12/88	
Interim Final Rule	06/15/88	
Final Action	07/15/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA82

185. ● MODIFICATION OF TIMBER SALE DOWNPAYMENT REQUIREMENTS

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223

Legal Deadline: None.

Abstract: There is a need to provide stronger incentives for purchasers of National Forest timber to complete their contracts on time. To help provide this incentive, the Department of Agriculture is proposing that the amount a purchaser deposits as downpayment on a timber sale not be available for credit to other uses until the last timber in the contract is harvested.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
NPRM Comment Period End	05/01/88	
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box

96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA83

186. ● LUMBER PRICE INDEX TRENDS

Significance: Agency Priority

Legal Authority: 16 USC 476

CFR Citation: 36 CFR 223.64

Legal Deadline: None.

Abstract: Each month Western Wood Products Association (WWPA) publishes a Lumber Price Trends Index for eight Western Inland species or species combinations and two Pacific Northwest Coast species. These data are used by government agencies to appraise public timber offered for sale and to adjust prices billed for timber already under contract. This proposal makes public an intent to replace nine current WWPA index logs with new index logs based upon 1985-86 grade recovery studies. It is proposed to replace Pacific Northwest Hem-fir, and Douglas Fir and Idaho White Pine, Dry Douglas Fir-Larch, White Fir, Rocky Mountain Ponderosa Pine, Coast Inland North Ponderosa Pine, Sugar Pine, and White Woods current indexes with new indexes based upon a 1985-1986 recovery study.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/01/88	
Final Action	05/01/88	
Final Action Effective	06/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA86

187. ● TIMBER SALE FINANCIAL SECURITY

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.49

Legal Deadline: None.

Abstract: Recent analysis of agency policies and procedures for ensuring the financial security of timber sale contracts have convinced the Forest Service that additional measures are needed. To assure more effective resource management and to better protect the public's financial interests in the sale of national forest timber, the agency is proposing to revise its policies and procedures as set forth in Chapter 2430 and 2450 of the Forest Service Manual. Specifically, the agency proposes to (1) eliminate the current ceiling on the required performance bond guarantee; (2) strengthen performance bond requirements by identifying (a) which actions are covered by the bond, (b) the extent of sureties liabilities, (c) when surety is liable; (3) increase the bid guarantee to 10% of the advertised value; (4) assess damages in the amount of the bid guarantee or the difference between bid value and resale value; (5) establish the guidelines for determining purchaser's financial ability to operate the sale; (6) specify shorter contract periods; and (7) modify the basis for determination of default damages (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	06/01/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Additional Information: ABSTRACT CONT: by using timber sale appraisal procedures.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA87

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

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188. ENTRANCE INTO PETERSBURG WATERSHED

Legal Authority: 16 USC 551; 16 USC 472; 43 USC 1761 to 1771

CFR Citation: 36 CFR 251.35

Legal Deadline: None.

Abstract: Rule restricts entry into watershed without approval of authorized officials of Petersburg, Alaska. Review of this rule has been completed and reveals a need to update the rule to comply with legislative changes enacted since promulgation of this rule, and to streamline administrative entry into the watershed, and permit recreation access to a certain portion of the watershed without written authorization. (FS 84-017)

Timetable:

Action	Date	FR Cite
Begin Review	04/21/86	51 FR 13835
End Review	08/01/86	
NPRM	09/08/87	52 FR 33829
Final Action	05/00/88	
Final Action	05/00/88	
Effective		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA23

189. LAND STATUS AND TITLE RECORDS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603

CFR Citation: 36 CFR 200.12, (New)

Legal Deadline: None.

Abstract: Objective is to establish that the Land Status Record as the official record of title for National Forest System lands and to set forth the authorities, policies, and procedures for recording, custody, maintenance, and use of title documents and title status reports. (FS 85-012)

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	
NPRM	05/30/88	
Final Action	05/00/88	
Effective		
NPRM Comment	06/15/88	
Period End		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA24

190. PERIODIC PAYMENTS, DOWNPAYMENTS, AND MARKET RELATED CONTRACT ADDITIONS

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.52; 36 CFR 223.50

Legal Deadline: None.

Abstract: The Federal Timber Sale Contract Payment Modification Act directs the Forest Service to require purchasers to make downpayments and periodic payments on timber sales. The objective of these requirements is to discourage speculative bidding on National Forest System timber sales. A rule published 10/11/85 at 50 FR 41498 requires cash downpayments and a midpoint payment. However, to fully comply with the Act, additional rules are required. This rule will clarify how downpayments are determined, identify the requirements for periodic payments, permit the pooling of periodic payments, and establish a method for permitting market related contract term additions. The proposed rule is a requirement of the Act (FS 85-014).

Timetable:

Action	Date	FR Cite
NPRM	01/17/85	50 FR 2591
NPRM	11/06/87	52 FR 43020
NPRM Comment	02/19/88	53 FR 544
Period End		
Final Action	04/00/88	
Final Action	05/00/88	
Effective		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA33

191. USE RESTRICTIONS OF NATIONAL FOREST LANDS FOR THE PROTECTION OF MUNICIPAL WATER SUPPLIES

Legal Authority: 16 USC 475; 16 USC 552; 16 USC 551; 16 USC 1600 to 1610; 16 USC 1701

CFR Citation: 36 CFR 251.9

Legal Deadline: None.

Abstract: This action amends the regulation providing protection of municipal watersheds to conform to recent legislation, principally the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA). (FS 86-003)

Timetable:

Action	Date	FR Cite
End Review	08/01/86	
NPRM	09/08/87	52 FR 33837
NPRM Comment	11/09/87	
Period End		
Final Action	04/00/88	
Final Action	04/00/88	
Effective		

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA34

192. CONTROL OF SKEWED BIDDING ON NATIONAL FOREST TIMBER SALES

Legal Authority: 16 USC 472a

CFR Citation: 36 CFR 223.89

Legal Deadline: None.

Abstract: Timber may not be sold at less than appraised value. Skewed bidding enables bidders to tailor their bids to their competitive strengths. While skewed bidding can be advantageous to purchasers, it can also reduce Government receipts and increase Forest Service timber sale administration costs. These results were documented by the General Accounting Office (GAO/RCED-83-37). This proposal is made in partial response to the recommendations in that review. (FS 86-006)

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Timetable:

Action	Date	FR Cite
NPRM	07/01/83	48 FR 30417
NPRM	07/16/84	49 FR 28748
NPRM	01/30/87	52 FR 3027
Withdrawal of NPRM	05/15/87	52 FR 18399
NPRM	11/06/87	52 FR 42700
NPRM Comment Period End	02/19/88	53 FR 544
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Additional Information: Note: The dates projected for proposed policy publication are not firm. This document has been under OMB Regulatory Review, with no clearance yet received, since September 29, 1986.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA37

193. SMALL BUSINESS TIMBER SALE SET ASIDE PROGRAM

Significance: Regulatory Program

Legal Authority: 15 USC 631

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The policy is designed to ensure that small business purchasers have the opportunity to purchase a fair proportion of National Forest Timber. The proposed policy is consistent with the current standards and establishes procedures for determining what share of timber volume small business will have the opportunity to bid on without competition from large business.

Timetable:

Action	Date	FR Cite
NPRM	11/21/84	49 FR 45889
NPRM Comment Period End	11/21/84	49 FR 45889
Final Policy	06/13/85	50 FR 24788
Request Comments on Final Policy	02/03/86	51 FR 4264
Revised Proposed Policy	09/25/87	52 FR 36075
Proposed Policy Public Comment Period End	11/00/87	

Action	Date	FR Cite
Final Action	04/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA43

194. INDIAN ALLOTMENTS ON NATIONAL FOREST SYSTEM LANDS

Significance: Agency Priority

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603; 43 USC 1740; 25 USC 337

CFR Citation: 36 CFR 254, Subpart D (new)

Legal Deadline: None.

Abstract: Objectives are to set forth Forest Service procedures and role in the regulation of Indian allotments on National Forest System land. The Indian Allotment Act of 2/8/87, as by Section 31, Act of 6/25/10 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. Recent litigation and a decision by the Interior Board of Land Appeals indicate the need for the Forest Service to set forth its own regulations when the Forest Service determines that lands are not chiefly valuable for agricultural and grazing purposes. The only alternative is not to issue regulations. This is unacceptable since it leaves the Agency vulnerable to future IBLA appeals cases as well as future litigation.

Timetable:

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23473
NPRM Comment Period End	07/22/87	52 FR 23473
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Affected Sectors: None

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of

Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA52

195. PROHIBITIONS; FOSSIL COLLECTING

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 261

Legal Deadline: None.

Abstract: In response to comments from the scientific and academic communities and in keeping with the recommendations of the National Academy of Sciences "Report on Guidelines for Paleontological Collecting," the Forest Service is clarifying its regulations concerning fossil collecting on National Forest System lands. The language on "paleontological resources" is being moved to a separate paragraph and the requirement for permits is being limited specifically to quarrying for fossils and for commercial activities. The no-action alternative would be to leave the regulation of paleontological resources the same as for archeological resources, with permits needed for all activities. Since there is no evidence of widespread problems, the permit process imposes unnecessary burdens on the casual collector and creates added paperwork for the Forest officer to manage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/26/86	51 FR 30355
Final Action	06/01/88	
Final Action Effective	06/01/88	

Small Entity: No

Additional Information: The change in dates for final rule is necessitated by decision to await final report from National Academy of Sciences on "Guidelines for Paleontological Collecting." Report now received.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA56

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196. NON-COMPETITIVE DISPOSAL OF MINERAL MATERIALS

Legal Authority: 30 USC 601 et seq; 30 USC 603 to 604; 30 USC 601; 30 USC 603; 30 USC 602; 16 USC 477; 16 USC 520; 7 USC 1010; 30 USC 192c, Sec 3; 16 USC 508b; Section 3, 66 Stat. 285; 16 USC 521a; 75 Stat. 205; 23 USC 101 et seq; 16 USC 539a, Sec 502

CFR Citation: 36 CFR 228, Subpart C

Legal Deadline: None.

Abstract: Existing regulations allow noncompetitive sale of mineral materials not in excess of 100,000 cubic yards in any individual sale or 200,000 cubic yards in any one State for the benefit of any entity in any period of twelve consecutive calendar months. The proposal would give the Forest Service flexibility in meeting requests for noncompetitive sales of large amounts of mineral materials when public property, health, and safety are threatened or when competition is impractical. The proposal is similar to rules governing mineral material sales by the Bureau of Land Management. Interim rulemaking is sought to resolve a situation in California where the volume restriction for noncompetitive sales may interfere with a mining claimant's statutory rights regarding locatable minerals.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/02/87	52 FR 10564
Begin Review	07/01/87	
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: Yes

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA60

197. INCREASED DOWNPAYMENTS FROM TIMBER SALE PURCHASERS WITH A HISTORY OF DEFAULTS; AND DETERMINATION OF PURCHASER RESPONSIBILITY

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.49, (Revised)

Legal Deadline: None.

Abstract: The Forest Service proposes to increase the downpayment that purchasers who have defaulted on past contracts must pay on new sales. In addition, the proposal identifies elements of performance to be used in determination of purchasers' responsibility before awarding contracts.

Timetable:

Action	Date	FR Cite
NPRM	05/20/87	52 FR 18926
NPRM Comment Period End	07/06/87	52 FR 18926
Final Action	03/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA70

198. REVISE 36 CFR 223.178 REGARDING RELEASE OF CLAIMS AGAINST THE GOVERNMENT ON SALES OFFERED FOR GOVERNMENT BUYOUT

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.178

Legal Deadline: None.

Abstract: The Forest Service proposes to reconsider the requirement for release of a purchaser from further obligations under a contract selected for return to the government, and to clarify the requirements for completion of the buyout process authorized by the Federal Timber Contract Payment Modification Act.

Timetable:

Action	Date	FR Cite
NPRM	06/11/87	52 FR 22348
NPRM Comment Period End	08/12/87	52 FR 22348
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA71

199. REVIEW OF DECISIONS TO TERMINATE RECREATION RESIDENCE PERMITS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 211.18(b)

Legal Deadline: None.

Abstract: Certain recreation residence permits on National Forest land are on termination notice. The decision to terminate was made 10 or more years ago. The Forest Service has agreed to review those decisions to determine if they are still valid. The rule will facilitate conducting these reviews by excluding their outcome from the Agency's administrative appeal process. Since most of the earlier decisions were appealed, this action will prevent duplicative appeals that would delay needed land management activities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/87	52 FR 27547
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA72

200. ● REVISE RULES GOVERNING SPECIAL USES OF NATIONAL FOREST SYSTEM LANDS AND RESOURCES AT 36 CFR 251, SUBPART B TO REMOVE AMBIGUITIES REGARDING FIRST AMENDMENT RIGHTS

Significance: Agency Priority

Legal Authority: 16 USC 472, 551, 1134, 3210; 30 USC 185; 43 USC 1740, 1761 to 1771

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CFR Citation: 36 CFR 251.50; 36 CFR 251.51; 36 CFR 251.53; 36 CFR 251.54

Legal Deadline: None.

Abstract: A Federal District Court recently ruled that existing regulations discriminate against groups who wish to gather on National Forests to exercise their first amendment rights to free speech. The proposed rule will remove ambiguities regarding first amendment rights of assembly and free speech on National Forests.

Alternatives considered were: (1) no changes; (2) termination of all regulations concerning special use authorizations for large groups on the National Forests.

There will be no additional costs as a result of the proposed rule change. The benefit will be that the Forest Service will be able to regulate large group use on the National Forests, which in turn will protect the public health and safety, and protect National Forest resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	09/00/88	
Final Action Effective	09/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA80

201. ● APPEAL OF DECISIONS TO REOFFER RETURNED OR DEFAULTED TIMBER SALES ON NATIONAL FORESTS

Legal Authority: 30 Stat. 35, as amended, sec 1; 33 Stat. 628 16 USC 551, 472

CFR Citation: 36 CFR 211.17

Legal Deadline: None.

Abstract: This rule provides procedures by which individuals or groups may appeal Forest Service officials decisions

to reoffer returned or defaulted timber sales on National Forests. The rule results from a recent 9th Circuit Court of Appeals decision. In order to respond quickly to that Court ruling and preserve the opportunity for a meaningful appeal for potential appellants, it is necessary to make this rule effective upon publication. However, the agency has invited public comment on the interim rule, which it will consider in promulgating a final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/28/88	53 FR 2490
ANPRM Comment Period End	03/26/88	53 FR 2490
Final Action	05/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA84

DEPARTMENT OF AGRICULTURE (USDA) Forest Service (FS)

Completed Actions

202. SUSPENSION AND DEBARMENT OF TIMBER SALE CONTRACTORS

CFR Citation: 36 CFR 223, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43324
Final Action Effective	11/12/87	52 FR 43324

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA09

203. CREATE A NEW SUBPART C TO 36 CFR 264 ENTITLED NATIONAL SCENIC AND HISTORIC TRAIL SYMBOLS

CFR Citation: 36 CFR 264

Completed:

Reason	Date	FR Cite
Withdrawn	02/17/88	

Small Entity: No

Agency Contact: Marian P. Connolly 202 235-1488

RIN: 0596-AA54

204. 36 CFR PART 222, SUBPART C - GRAZING FEES

Significance: Agency Priority

CFR Citation: 36 CFR 222.50 to .51

Completed:

Reason	Date	FR Cite
Final Action	02/02/88	53 FR 2978
Final Action Effective	03/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly 202 235-1488

RIN: 0596-AA77

DEPARTMENT OF AGRICULTURE (USDA) Packers and Stockyards Administration (P&SA)

Proposed Rule Stage

205. ● ANNUAL REPORTS

Significance: Agency Priority

Legal Authority: PL 100-173; 7 USC 228

CFR Citation: 9 CFR 201.97

Legal Deadline: None.

Abstract: The law provides for a live poultry dealer trust for the benefit of all unpaid cash sellers or poultry growers and requires prompt payment for the sale or delivery of poultry. Administrative enforcement authority is provided for the poultry trust and

prompt payment provisions. Amendment to present regulations will be required to implement the new provisions of the law.

USDA—P&SA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment	10/00/88	
Period End		

Small Entity: No

Agency Contact: Calvin W. Watkins, Deputy Administrator, Department of Agriculture, Packers and Stockyards Administration, Room 3039, South Building, Washington, DC 20250-2800, 202 447-7063

RIN: 0590-AA04

206. ● SCALES; ACCURATE WEIGHTS, REPAIRS, ADJUSTMENTS OR REPLACEMENTS AFTER INSPECTION

Significance: Agency Priority

Legal Authority: 7 USC 228

CFR Citation: 9 CFR 201.71(a)

Legal Deadline: None.

Abstract: This action is necessary to incorporate the 1988 edition of National Bureau of Standards (NBS) Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices," which contains a new scale code adopted by the National Conference on Weights and Measures. This change will make the requirements of the Packers and Stockyards Administration

uniform with those applied by State and local weights and measures jurisdictions. The current regulation incorporates the 1983 edition of Handbook 44.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment	07/00/88	
Period End		

Small Entity: No

Agency Contact: Calvin W. Watkins, Deputy Administrator, Department of Agriculture, Packers and Stockyards Administration, Room 3039, South Building, Washington, DC 20250-2800, 202 447-7063

RIN: 0590-AA05

DEPARTMENT OF AGRICULTURE (USDA)

Soil Conservation Service (SCS)

Proposed Rule Stage

207. SNOW SURVEYS AND WATER SUPPLY FORECASTS

Legal Authority: 26 Stat. 653, Sec. 8; Reorg. No. IV of 1940

CFR Citation: 7 CFR 612.1 to 612.7

Legal Deadline: None.

Abstract: Sets forth policy and procedures for the administration of a cooperative snow survey and water supply forecast program, including the steps involved in carrying out the program. Sets out data collected and forecasts made, and eligible users of the data. (SCS 83-005)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: (Future) FINAL ACTION - Not needed at this time

(Future) END REVIEW - Not needed at this time

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA01

208. RELOCATION ASSISTANCE

Legal Authority: 42 USC 4601 et seq; PL 91-646

CFR Citation: 7 CFR 652

Legal Deadline: None.

Abstract: Prescribes the policies and procedures for the implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC 4601 et seq.) pertaining to the treatment of persons displaced from their homes, businesses, or farms because of federal financially assisted projects. (SCS 85-001)

Timetable:

Action	Date	FR Cite
End Review	01/31/86	

Next Action Undetermined

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA12

209. PROCEDURES FOR THE PROTECTION OF ARCHEOLOGICAL AND HISTORICAL PROPERTIES ENCOUNTERED IN SCS-ASSISTED PROGRAMS

Significance: Agency Priority

Legal Authority: 16 USC 470f; 16 USC 469

CFR Citation: 7 CFR 656, (Revision)

Legal Deadline: None.

Abstract: The regulations address legal requirements set forth by the Advisory Council on Historic Preservation regulations, Protection of Historic Properties (36 CFR 800). The action is to remove and reserve six sections from the regulation to be more consistent with revised 36 CFR 800 and reduce requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Wayne F. Maresch, Director, Administrative Services Division, Department of Agriculture, Soil Conservation Service, P.O. Box 2890, Washington, DC 20013, 202 447-4811

RIN: 0578-AA13

DEPARTMENT OF AGRICULTURE (USDA)
Soil Conservation Service (SCS)

Final Rule Stage

210. SOIL SURVEYS

Legal Authority: Part of Agriculture Appropriation Act of 1986; PL 74-46 The Soil Conservation and Domestic Allotment Act; PL 89-560 Soil Surveys for Resource Planning and Development; 42 USC 3271; 42 USC 3274

CFR Citation: 7 CFR 611

Legal Deadline: None.

Abstract: Prescribes the policy on soil survey operations including cooperative relationships with state agencies, standards, guidelines and plans on survey operations, distribution of soil survey information, and cartographic operations services furnished. (SCS 83-006)

Timetable:

Action	Date	FR Cite
End Review	12/31/86	

Next Action Undetermined

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA00

211. PRIME AND UNIQUE FARMLANDS

Legal Authority: 16 USC 590(a to f); 42 USC 4321 et seq; PL 95-87

CFR Citation: 7 CFR 657.1 to 657.5

Legal Deadline: None.

Abstract: Prescribes SCS policy on the development and maintenance of an inventory of prime and unique farmland of the Nation including the criteria and characteristics used in the identification of such lands. (SCS 83-007)

Timetable:

Action	Date	FR Cite
End Review	02/00/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA10

212. FARMLAND PROTECTION POLICY ACT

Significance: Agency Priority

Legal Authority: 7 USC 4201

CFR Citation: 7 CFR 658

Legal Deadline: Statutory. 180 days after enactment of Food Security Act of 1985

Abstract: The United States Department of Agriculture amends its rule for implementing the Farmland Protection Policy Act to require progress reports, enable governors to bring action to enforce the requirements of the Act, include a section omitted by

clerical error, revise how Federal agencies apply the Act, and revise the definition of farmland. These amendments are necessary in order to comply with amendments to the Farmland Protection Policy Act (FPPA) made by Title XII of the Food Security Act of 1985, Pub. L. 99-198, December 23, 1985, and to clarify several provisions of the existing rule. This rule will revise Part 658 of Title 7 of the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	05/15/88	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0; Base Year for Dollar Estimates: 1987

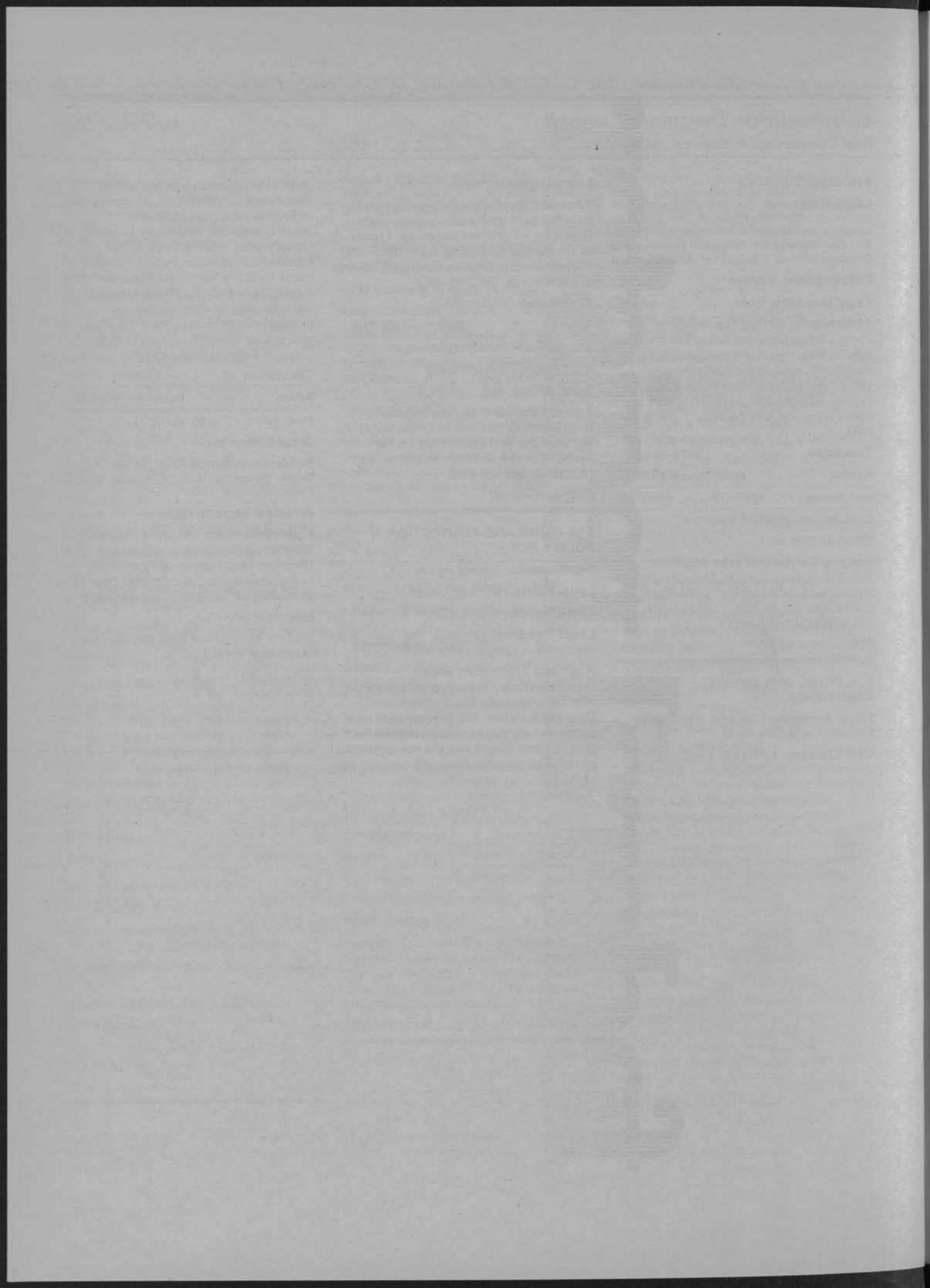
Affected Sectors: None

Agency Contact: Wayne F. Maresch, Director, Administrative Services Division, Department of Agriculture, Soil Conservation Service, PO Box 2890, Washington, DC 20013, 202 447-4811

RIN: 0578-AA14

[FR Doc. 88-5078 Filed 04-22-88; 8:45 am]

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largest federal register

Monday
April 25, 1988

Part IV

Department of Commerce

Semiannual Regulatory Agenda

DEPARTMENT OF COMMERCE (DOC)

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, III, IV, VIII, IX; Subtitle D, Ch. XXIII

19 CFR Ch. III

37 CFR Ch. I, IV

48 CFR Ch. 13

50 CFR Chs. I, II, III, VI

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Commerce.

ACTION: April 1988 regulatory agenda.

SUMMARY: In compliance with Executive Order (E.O.) 12291, entitled "Federal Regulation," and the Regulatory Flexibility Act (Pub. L. 96-354), the Department of Commerce in April and October of each year publishes in the *Federal Register* an agenda of the rulemaking actions covered by section 1 of E.O. 12291 that the Department plans to conduct or review over the next twelve months. Rulemaking actions are grouped according to prerulemaking, proposed rules, final rules, and rulemaking actions completed since the October 1987 agenda. The purpose of the agenda is to provide information to the public on regulations currently under review, being proposed, or issued by the Department. The agenda is intended to facilitate comments and views by interested members of the public.

The Department's April 1988 regulatory agenda includes regulatory activities that are expected to be conducted during the period April 1, 1988 through March 31, 1989.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about a specific regulatory action listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to Michael A. Levitt, Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 377-8843.

SUPPLEMENTARY INFORMATION: On February 17, 1981, President Reagan signed E.O. 12291. The E.O. requires all executive agencies to publish semiannually an agenda of those regulations that are under consideration pursuant to this Order. Office of Management and Budget (OMB) Bulletin No. 88-1, issued October 7, 1987 establishes guidelines and procedures for the preparation and publication of the April 1988 Unified Agenda of Federal Regulations for all Federal departments and agencies. E.O. 12291 and the OMB Bulletin require that each agenda report the following information on non-exempt regulatory activities being conducted or planned to be conducted by the agency during the twelve-month period succeeding publication: The title of the regulation; the name, title, address and phone number of an agency person who is knowledgeable about the regulation; whether the regulation has or is expected to have a significant economic impact on a substantial number of small entities; the section(s) of the Code of Federal Regulations which will affect or be affected by the action; the section of the United States Code, Public Law or Executive Order that authorizes the action; an indication of whether or not the entry is a significant regulatory action included in the Administration's Regulatory Program and if the agency considers it a priority action; an abstract describing the problem the regulation addresses, alternatives to the regulation being considered, and potential costs and benefits of the action; legal deadline, if any; and a timetable of dates and, if available, *Federal Register* citations for past stages of the action.

The Regulatory Flexibility Act requires agencies to prepare a regulatory flexibility analysis where there is a positive finding that a rule will have a significant economic impact on a substantial number of small entities. E.O. 12291 requires agencies to prepare a regulatory impact analysis for any regulation considered to be a "major rule" as defined in the Order.

Explanation of Information Contained in the Agenda

Within the Department, the Office of the Secretary and various operating units may issue regulations. Operating units such as the National Oceanic and Atmospheric Administration (NOAA), the Economic Development Administration, the International Trade

Administration, the National Bureau of Standards, and the Patent and Trademark Office issue the greatest share of the Department's regulations.

A large number of regulatory actions reported in the agenda are proposed or final Federal Information Processing Standards (FIPS), issued by the National Bureau of Standards (NBS) under Pub. L. 89-306. FIPS consist of standards and guidelines to improve Federal Government use and management of computers and information technology. The standards, while often of great use to industry and the public, apply only to the Federal Government. In developing the standards and guidelines, and in providing technical guidance and coordination to Federal agencies, NBS works closely with private industry standard-setting organizations.

Another large number of regulatory actions reported in the agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of the NMFS programs, a section on "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 *et seq.*) (Act) governs the management of fisheries within the Exclusive Economic Zone (EEZ). The EEZ refers to those waters from the outer edge of the United States territorial sea to a distance of 200 miles. Fishery Management Plans (FMPs) are to be prepared for fisheries which require conservation and management measures. These FMPs regulate domestic and foreign fishing where permitted. Foreign fishing can be conducted in a fishery for which there is no FMP only if a preliminary fishing management plan has been issued to govern that foreign fishing. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs, or amendments to FMPs, for fisheries within their respective areas. In the development of such plans or amendments and their implementing regulations, the Councils are required by law to conduct public hearings on the

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draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs and amendments makes it difficult for NMFS to determine the significance of some regulatory actions under

consideration at the time the semiannual regulatory agenda is published.

Frequently NMFS does not have specific plan objectives or alternatives for management since the Councils may not have approved or submitted plans to the

Secretary of Commerce for review, adoption, and implementation.

The DOC April 1988 regulatory agenda follows.

Robert H. Brumley,
Deputy General Counsel.

Office of the Secretary—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
213	Privacy Act	0690-AA16

Office of the Secretary—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
214	Contract Clauses and Solicitation Provisions for the Commerce Automated Solicitation System	0690-AA08
215	Source Evaluation Procedures and Miscellaneous Revisions to the Commerce Acquisition Regulation	0690-AA13
216	Program Fraud Civil Remedies	0690-AA14

Office of the Secretary—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
217	Enforcement of Nondiscrimination on the Basis of Handicap in Department of Commerce Programs	0690-AA06
218	Public Information	0690-AA15

Bureau of Economic Analysis—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
219	Implementation of Annual Survey of Selected Services Transactions with Unaffiliated Foreign Persons	0691-AA10
220	Increase in Exemption Levels for Quarterly Foreign Direct Investment Surveys Conducted by BEA -- Forms BE-605 and 606B	0691-AA12
221	Change in Exemption for Foreign Ocean Carriers' Expenses Survey Conducted by BEA -- Annual Report Form BE-29	0691-AA13
222	Increase in Exemption Level of Annual Survey of Foreign Direct Investment in the United States (Form BE-15) conducted by BEA	0691-AA14

Bureau of Economic Analysis—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
223	Benchmark Survey of Foreign Direct Investment in the United States -- 1987	0691-AA08
224	Revisions in Reporting Requirements for Surveys of U.S. Trade in Services with Foreign Persons	0691-AA09
225	Rule to Change Reporting Criteria for Minority-Owned Foreign Affiliates on Form BE-11C of the Annual Survey of U.S. Direct Investment Abroad	0691-AA11

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Bureau of the Census—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
226	Foreign Trade Statistics Regulations	0607-AA10

Bureau of the Census—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
227	Shipper's Export Declaration -- Foreign Trade Statistics	0607-AA09

Economic Development Administration—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
228	General Requirements for Financial Assistance -- Design, Construction of Buildings to Accommodate the Physically Handicapped	0610-AA05
229	Economic Development Administration: Property Management Standards	0610-AA07
230	Property Management Standards -- Mortgages	0610-AA12
231	General Requirements for Financial Assistance -- Flood Insurance Program; and Environmental Requirements	0610-AA16
232	General Requirements for Financial Assistance: Employment of Expeditors or Administrative Employees; Compensation of Persons Engaged by or on Behalf of Applicants	0610-AA18
233	Overall Economic Development Program Public Works and Development Facilities Program	0610-AA19
234	Designation of Areas; Designation of PWIP Areas	0610-AA21
235	General Requirements for Financial Assistance; Unfair Competition	0610-AA22
236	Sale of Loans and Loan Guarantees to the Private Sector	0610-AA31
237	General Requirements for Financial Assistance -- Nonrelocation	0610-AA32
238	General Requirements for Financial Assistance - Project Modification	0610-AA33
239	Protection of EDA's Interest in Facilities Acquired, Built, or Improved with EDA Grant Funds	0610-AA35
240	Liability for Hazardous Substances Associated with EDA Loans and Loan Guarantees	0610-AA36
241	Adjustment Grants - Revolving Loan Funds	0610-AA37

General Administration—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
242	Nonprocurement Debarment and Suspension	0605-AA02

General Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
243	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	0605-AA03

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International Trade Administration—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
244	General Regulations Governing Foreign Trade Zones in the United States, with Rules of Procedures.....	0625-AA04
245	Annual Watch Quota Allocations.....	0625-AA25
246	Antidumping and Countervailing Duties; Modifications.....	0625-AA26
247	Export Trade Certificates of Review.....	0625-AA27
248	Defense Priorities and Allocations System (DPAS).....	0625-AA28

International Trade Administration—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
249	Adjustment Assistance for Firms and Industries.....	0625-AA05
250	Antidumping Duties; Countervailing Duties.....	0625-AA08
251	Revisions to Short Supply Regulations.....	0625-AA21
252	Sanctions for Violation of Antidumping and Countervailing Duty Protective Orders.....	0625-AA24

International Trade Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
253	Effect of Imported Articles on the National Security.....	0625-AA15

National Bureau of Standards—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
254	FIPS for Information Resource Dictionary System (IRDS).....	0693-AA38
255	FIPS for Codes for the Identification of Aquifer Names and Geologic Units.....	0693-AA44
256	FIPS for C Programming Language.....	0693-AA48
257	FIPS for Recorded Magnetic Tape Cartridge for Information Interchange; 4-Track, Serial, 0.250 in (6.30 mm), 6400 bpi (252 bps) Inverted Modified Frequency Modulation Encoded.....	0693-AA51
258	FIPS for Serial Recorded Magnetic Tape Cartridge for Information Interchange; Four and Five Track, 0.250 in (6.30 mm) 8000 bpi (315 bps) Streaming Mode Group Code Recording.....	0693-AA52
259	FIPS for One-Half Inch Magnetic Tape Interchange Using a Self Loading Cartridge.....	0693-AA53
260	FIPS for Recorded Formats for One and Two-Sided 5.25 Inch (130 mm) and 3.5 in (90 mm) Flexible Disk Cartridges.....	0693-AA54
261	FIPS for Recorded Magnetic Tape and Cartridge for Information Interchange; 18 track, Parallel, 12.65 mm (1/2 in), 1491 cps (37871 cpi) Group-Coded Recording.....	0693-AA55
262	FIPS for Device Level Interface for Streaming Cartridge and Cassette Tape Drives.....	0693-AA57
263	FIPS for Electronic Business Data Exchange.....	0693-AA62
264	Extensions to FIPS 127, Database Language SQL.....	0693-AA63
265	FIPS for Programmer's Hierarchical Interactive Graphics System (PHIGS).....	0693-AA64

National Bureau of Standards—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
266	Revision to FIPS 100, Interface Between Data Terminal Equipment (DTE) and Data Circuit-Terminating Equipment (DCE) for Operation with Packet-Switched Data Communications Networks.....	0693-AA39
267	FIPS for Portable Operating System Environments (POSIX**)	0693-AA49
268	FIPS for Standard Generalized Markup Language (SGML).....	0693-AA50

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National Bureau of Standards—Final Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
269	Revisions to FIPS 60, 61, 62, 63, 97, and 111, Computer System Input/Output (I/O) Interface Standards.....	0693-AA59
270	FIPS for Government Open Systems Interconnection Profile	0693-AA61

National Bureau of Standards—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
271	FIPS PUB 68-2, BASIC.....	0693-AA35
272	FIPS PUB 29-2, Interpretation Procedures for Federal Information Processing Standards for Software	0693-AA47
273	FIPS for Interfaces Between Flexible Disk Cartridge Drives and Their Host Controllers.....	0693-AA58
274	Review of FIPS 46, Data Encryption Standard.....	0693-AA60

National Oceanic and Atmospheric Administration—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
275	Marine Fishery User Fees	0648-AB93
276	Taking of Marine Mammals Incidental to Underwater Tests by the Department of the Navy.....	0648-AC08
277	Amendment 1 Gulf of Mexico Reef Fish Fishery Management Plan.....	0648-AC16
278	Amendment 8 to the Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries.....	0648-AC19
279	Amendment 2 to the Northeast Multispecies Fishery Management Plan.....	0648-AC26
280	Amendment 4 to the Pacific Coast Groundfish Fishery Management Plan.....	0648-AC43
281	Amendment 1 to the Fishery Management Plan for the Snapper- Grouper Fishery of the South Atlantic	0648-AC50
282	Bluefish Fishery Management Plan.....	0648-AC51
283	Federal Consistency with Approved Coastal Zone Management Programs.....	0648-AA34

National Oceanic and Atmospheric Administration—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
284	Processed Fishery Products, Processed Products Thereof & Certain Other Processed Food Products: U.S. Standards for Grades of Frozen Fish Blocks & Products Made Therefrom ETC	0648-AA46
285	Implementation of PL 59-659 and Other Recommendations To Improve the Fishery Management System	0648-AB09
286	Development of a Fishery Management Plan for Summer Flounder.....	0648-AB30
287	Endangered Fish or Wildlife; Permits for the Incidental Taking of Endangered Marine Species.....	0648-AB47
288	Groundfish of the Gulf of Alaska and High Seas Salmon Fishery off Alaska; Regulatory Amendment.....	0648-AB51
289	Amendment 2 to the Fishery Management Plan for Atlantic Sea Scallops.....	0648-AB83
290	Resubmitted Portion of Amendment 1 to the American Lobster Fishery Management Plan.....	0648-AB89
291	Amendment 1 to the Swordfish FMP.....	0648-AB92
292	Safety of United States Observers Aboard Foreign Fishing Vessels	0648-AB94
293	Amendment 3 to the High Seas Salmon Fishery Off the Coast of Alaska East of 175 E. Longitude.....	0648-AC00
294	Amendment 2 to the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region	0648-AC10
295	Amendment 3 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources	0648-AC15
296	Fishery Management Plan for Atlantic Billfishes	0648-AC24
297	Proposed Rule to Establish Product Specific Seafood Marketing Councils Under the Fish and Seafood Promotion Act of 1986 (FSPA).....	0648-AC27
298	Regulatory Amendment Revising the Final Regulations Implementing the American Lobster Fishery Management Plan	0648-AC28
299	Amendment 2 to the Spiny Lobster Fishery Management Plan of the Gulf of Mexico and South Atlantic.....	0648-AC29
300	Foreign Fishing Poundage and Permit Fees, 1989.....	0648-AC30
301	Regulatory Amendment to Require Reporting of Pacific Coast Groundfish Landing to States.....	0648-AC31
302	Amendment 12 to the FMP for Groundfish of the Bering Sea and Aleutian Islands area.....	0648-AC32

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National Oceanic and Atmospheric Administration—Proposed Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
303	Amendment 1 to the Fishery Management Plan for the Precious Coral Fishery of the Western Pacific Region	0648-AC33
304	Fishery Management Plan for King and Tanner Crab in the Bering Sea and Aleutian Islands	0648-AC34
305	Amendment 2 to the Red Drum Fishery Management Plan for the Gulf of Mexico	0648-AC38
306	Reporting Requirements Governing Salmon Taken Off Alaska and Delivered or Landed Outside Alaska	0648-AC39
307	Atlantic Tuna Fisheries - Regulatory Amendment	0648-AC40
308	Regulatory Amendment to the Fishery Management Plan for the Atlantic Swordfish Fishery	0648-AC41
309	Amendment 17 to the FMP for Groundfish of the Gulf of Alaska	0648-AC42
310	Amendment 3 to the Fishery Management Plan for Atlantic Sea Scallops	0648-AC44
311	Policy to Require Observers to be Carried on Domestic Fishing Vessels	0648-AC45
312	Regulatory Amendment Modifying the Boundary of the Texas Seasonal Closure of the Shrimp Fishery of the Gulf of Mexico for 1988	0648-AC46
313	Regulatory Amendment Revising the Final Regulations Implementing the Fishery Management Plan for the Coastal Migratory Pelagic Resources	0648-AC47
314	Regulatory Amendment to Designate Special Fishing Areas in the Snapper-grouper Fishery of the South Atlantic	0648-AC48
315	Amendment 9 to the Fishery Management Plan for Commercial and Recreational Salmon fisheries off the Coasts of Washington, Oregon, and California	0648-AC49
316	Proposed Regulations for the Key Largo National Marine Sanctuary	0648-AA33
317	Draft Regulations for the Proposed Flower Garden Banks National Marine Sanctuary	0648-AB49
318	Proposed Regulations for the Looe Key National Marine Sanctuary	0648-AB64
319	Proposed Regulations for the National Estuarine Reserve Research Program	0648-AB68
320	Rulemaking to Implement 1985 Reauthorization of the Coastal Zone Management Act (CZMA)	0648-AC02
321	Proposed Regulations for the Channel Islands National Marine Sanctuary	0648-AC03
322	Proposed Regulations for the Point Reyes-Farallon Islands National Marine Sanctuary	0648-AC05

National Oceanic and Atmospheric Administration—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
323	Fishery Conservation and Management: Confidentiality of Statistics	0648-AA38
324	U.S. General Standards for Grades of Shrimp	0648-AA47
325	Foreign Fishing - Scientific Research	0648-AB23
326	Regulations Governing the Taking and Importing of Marine Mammals; Importation of Yellowfin Tuna	0648-AB46
327	Endangered Fish and Wildlife; Approaching Humpback Whales in Hawaiian Waters	0648-AB79
328	Groundfish of the Gulf of Alaska - Amendment 16 and Groundfish of the Bering Sea and Aleutian Islands Area - Amendment 11a	0648-AB98
329	U.S. Standards for Grades of Fish Fillets	0648-AC12
330	Amendment to Regulation Providing for Allocation of Pacific Halibut Among Domestic Fishermen	0648-AC20
331	Implementation of Conditionally Approved Measures Under Amendment 1 to the Spiny and Slipper Lobster FMP in the Gulf of Mexico and South Atlantic - Permits and Bag Limits	0648-AC25
332	Regulatory Amendment to Prohibit Landings of Undersize Red Snapper in the Reef Fish Fishery of the Gulf of Mexico	0648-AC36
333	Implementation of Conditionally Approved Measures Under Amendment to the Spiny and Slipper Lobster FMP in the Gulf of Mexico and South Atlantic - Trap Removal	0648-AC37
334	Interjurisdictional Fisheries	0648-AC52
335	Proposed Regulations for the National Marine Sanctuary Program	0648-AA31
336	Draft Regulations for the Proposed Cordell Bank National Marine Sanctuary	0648-AB50
337	Deep Seabed Mining Regulations for Commercial Recovery	0648-AA36

National Oceanic and Atmospheric Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
338	Marking Requirements for the Importation, Exportation, & Interstate Transportation of Fish or Wildlife	0648-AA53
339	U.S. Standards for Grades of Fresh or Frozen North American Freshwater Catfish and Products Made Therefrom	0648-AA73
340	Amendment No. 5 to the Fishery Management Plan for the Spiny Lobster Fisheries of the Western Pacific Region	0648-AB81
341	Amendment 1 to the Red Drum Fishery Management Plan for the Gulf of Mexico	0648-AB91
342	Groundfish of the Bering Sea and Aleutian Islands - Amendment 11	0648-AB96

DOC

National Oceanic and Atmospheric Administration—Completed Actions—Continued

Se- quence Number	Title	Regulation Identifier Number
343	Amendment 2 to the American Lobster Fishery Management Plan.....	0648-AB97
344	Amendment 8 to the Fishery Management Plan for Commercial and Recreational Salmon Fisheries Off the Coasts of Washington, Oregon, and California.....	0648-AB99
345	Foreign Fishing Poundage and Permit Fees, 1988.....	0648-AC01
346	Amendment 1 to the Northeast Multispecies Fishery Management Plan.....	0648-AC04
347	Performance Standards for Tuna Skippers.....	0648-AC07
348	Amendment 1 for the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region.....	0648-AC11
349	Amendment to the Regulations Implementing the Atlantic Sea Scallop FMP - Revise the Expiration Date of Fishing Permits.....	0648-AC13
350	Amendment to Regulations for Groundfish of the Gulf of Alaska, Bering Sea and Aleutian Islands Area - Reporting Requirements.....	0648-AC14
351	Amendment 4 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico.....	0648-AC17
352	Amendment 3 to the Pacific Coast Groundfish Fishery Management Plan.....	0648-AC18
353	Regulatory Amendment to the Fishery Management Plan for the Atlantic Swordfish Fishery - Extension of The Plan.....	0648-AC21
354	Regulatory amendment to the FMP for Groundfish of the Gulf of Alaska Groundfish, other Than Sablefish.....	0648-AC35
355	Regulatory Amendment Revising the Final Regulations Implementing the American Lobster Fishery Management Plan.....	0648-AC09

National Telecommunications and Information Administration—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
356	Public Telecommunications Facilities Program: Report and Order (Final Rules), Funding Priorities and Policy Statement.....	0660-AA01

Office of Productivity, Technology and Innovation—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
357	Administration of a Uniform Patent Policy with Respect to Domestic Rights in Inventions Made by Government Employees.....	0692-AA05

Office of Productivity, Technology and Innovation—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
358	Licensing of Government-Owned Inventions.....	0692-AA04

Patent and Trademark Office—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
359	Requests for Identifiable Records.....	0651-AA04
360	Deposit of Biological Materials for Patent Purposes.....	0651-AA13
361	Trademark Applications Pursuant to 15 U.S.C. 1126.....	0651-AA23
362	Duty of Disclosure - Information Disclosure Statement.....	0651-AA27
363	Requests for Presidential Proclamations under the Semiconductor Chip Protection Act.....	0651-AA29
364	Revision of Patent Fees.....	0651-AA30

DOC

Patent and Trademark Office—Proposed Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
365	Practice Before the Patent and Trademark Office	0651-AA31
366	Miscellaneous Changes in Patent Practice	0651-AA32

Patent and Trademark Office—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
367	Variety Denomination Requirements for Plant Patent Applications	0651-AA12
368	Trademark Automated Search System Fees	0651-AA18
369	Miscellaneous Amendments of Patent Rules	0651-AA25

United States Travel and Tourism Administration—Prerule Stage

Se- quence Number	Title	Regulation Identifier Number
370	Travel Promotion Fee	0644-AA00

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

Office of the Secretary (OS)

213. ● PRIVACY ACT

Legal Authority: 5 USC 552a

CFR Citation: 15 CFR 4b

Legal Deadline: None.

Abstract: The existing regulations implementing the Privacy Act are being revised to reflect the centralization of the administrative appeals process. Current regulations assign final decisionmaking authority within the same component making the initial decision. Centralization within the

Office of General Counsel would promote enhanced objectivity in the Department's final administrative decisions on Privacy Act requests.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
ANPRM	05/00/88	
Comment		
Period End		

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo, Management Analyst, Department of Commerce, Office of the Secretary, Washington, DC 20230, 202 377-3630

RIN: 0690-AA16

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Office of the Secretary (OS)

214. CONTRACT CLAUSES AND SOLICITATION PROVISIONS FOR THE COMMERCE AUTOMATED SOLICITATION SYSTEM

Legal Authority: 41 USC 251 et seq; PL 98-369; PL 98-577

CFR Citation: 48 CFR 1 to 53

Legal Deadline: None.

Abstract: The Department of Commerce is currently reviewing standardized contract clauses and solicitation provisions for inclusion in a planned Departmentwide automated solicitation system. A proposed amendment to the Commerce Acquisition Regulation (CAR) would illustrate and incorporate these standardized clauses and

provisions. This should ultimately be less burdensome to Department contractors and potential contractors, since the clauses and provisions would be used uniformly throughout the Department.

DOC—OS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert A. Welch, Deputy Director for Procurement, Department of Commerce, Office of the Secretary, Office of Procurement and Administrative Ser, 14th Street & Constitution Avenue, NW, Washington, DC 20230, 202 377-2773

RIN: 0690-AA08

215. SOURCE EVALUATION PROCEDURES AND MISCELLANEOUS REVISIONS TO THE COMMERCE ACQUISITION REGULATION

Legal Authority: 41 USC 251 et seq

CFR Citation: 48 CFR 1 to 53

Legal Deadline: None.

Abstract: The Department of Commerce has no formal uniform source evaluation procedures applicable to its

procurement activities. Standardization of source evaluation procedures will alleviate potential inconsistencies among procurement professionals as well as potential Department Contractors relative to evaluation of proposals.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert A. Welch, Deputy Director for Procurement, Department of Commerce, Office of the Secretary, Office of Procurement and Administrative Ser, 14th Street and Constitution Ave., NW, Washington, DC 20230, 202 377-2773

RIN: 0690-AA13

216. PROGRAM FRAUD CIVIL REMEDIES

Legal Authority: 31 USC 3809

CFR Citation: 15 CFR 25

Legal Deadline: None.

Abstract: This rule, if promulgated, would implement the Program Fraud Civil Remedies Act of 1986 which authorizes the Department of Commerce (and certain other Federal agencies) to impose through administrative adjudication civil penalties and assessments against persons making false claims or statements to it.

Timetable:

Action	Date	FR Cite
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NPRM 04/00/88

Small Entity: No

Agency Contact: Jerry Walz, Chief, Contract Law Division, Room 5893, Department of Commerce, Office of the Secretary, Washington, DC 20230, 202 377-1122

RIN: 0690-AA14

DEPARTMENT OF COMMERCE (DOC)

Final Rule Stage

Office of the Secretary (OS)

217. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF COMMERCE PROGRAMS

Legal Authority: 29 USC 794; EO 12250

CFR Citation: 15 CFR 8c

Legal Deadline: None.

Abstract: Regulations will be proposed providing for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended. These regulations will ensure programmatic and physical accessibility for handicapped individuals in Department of Commerce activities.

Timetable:

Action	Date	FR Cite
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NPRM 11/24/84 49 FR 45861

NPRM Comment 03/21/85 49 FR 45861

Period End

Final Action 04/00/88

Small Entity: No

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Richard Stearns, Chief, EEO Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, 14th and Constitution Avenue, NW, Washington, DC 20230, 202 377-5691

RIN: 0690-AA06

218. PUBLIC INFORMATION

Legal Authority: 5 USC 552

CFR Citation: 15 CFR 4

Legal Deadline: None.

Abstract: The existing regulations implementing the Freedom of Information Act are being revised to incorporate changes in the Department's policies and procedures affecting FOIA administration. Additionally, the revision adopts the provisions of E.O. 12600, Predisclosure

Notification Procedures for Confidential Information, dated June 23, 1987. Section 4.9 of the regulations was completed on July 17, 1987, 52 FR 26951, to comply with the Freedom of Information Reform Act of 1986.

Timetable:

Action	Date	FR Cite
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NPRM 04/28/87 52 FR 15327

NPRM Comment 06/12/87 52 FR 15327

Period End

Final Action 04/01/88 Effective

Small Entity: No

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo, Management Analyst, Department of Commerce, Office of the Secretary, US Department of Commerce, Washington, DC 20230, 202 377-3630

RIN: 0690-AA15

DEPARTMENT OF COMMERCE (DOC)
Bureau of Economic Analysis (BEA)

Proposed Rule Stage

219. IMPLEMENTATION OF ANNUAL SURVEY OF SELECTED SERVICES TRANSACTIONS WITH UNAFFILIATED FOREIGN PERSONS

Significance: Agency Priority

Legal Authority: 22 USC 3101 to 3108
 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 801

Legal Deadline: None.

Abstract: This action will amend 15 CFR 801 by adding rules to implement a new annual follow-on survey to the BE-20 Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons--1986. The scope and coverage of the annual survey are expected to be more limited than that of the benchmark survey, with exact scope and coverage to be determined after analysis of preliminary results of the 1986 BE-20. Data from the annual survey will be used to derive universe estimates of covered services transactions in nonbenchmark years, thus updating the data collected in the benchmark survey. The first year of coverage will be 1987; the survey will not be taken for a year covered by the benchmark survey.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment	08/00/88	
Period End		
Final Action	09/00/88	
Final Action	10/00/88	
Effective		

Small Entity: No

Public Compliance Cost: Initial Cost: \$1,600,000; Yearly Recurring Cost: \$1,600,000; Base Year for Dollar Estimates: 1988

Agency Contact: Betty L. Barker, Acting Chief, International Investment Div., Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, 202 523-0659

RIN: 0691-AA10

220. INCREASE IN EXEMPTION LEVELS FOR QUARTERLY FOREIGN DIRECT INVESTMENT SURVEYS CONDUCTED BY BEA -- FORMS BE-605 AND 606B

Legal Authority: 22 USC 3101 to 3108
 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will raise the exemption levels for quarterly report Forms BE-605 (Transactions of U.S. Affiliates, Except an Unincorporated Bank, with Foreign Parent) and BE-606B (Transactions of U.S. Banking Branch or Agency with Foreign Parent) from \$15 million to \$20 million. The purpose of the action is to bring the exemption levels into conformance with those for Form BE-12 (LF) of the Benchmark Survey of Foreign Direct Investment in the United States -- 1987. As a result of the action, the number of reports filed by U.S. companies will be significantly reduced, thereby reducing both reporting and processing burden.

Timetable:

Action	Date	FR Cite
NPRM	02/16/88	53 FR 04420
NPRM Comment	04/01/88	
Period End		
Final Action	05/00/88	
Final Action	06/00/88	
Effective		

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, 202 523-0659

RIN: 0691-AA12

221. CHANGE IN EXEMPTION FOR FOREIGN OCEAN CARRIERS' EXPENSES SURVEY CONDUCTED BY BEA -- ANNUAL REPORT FORM BE-29

Legal Authority: 22 USC 3101 to 3108
 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will change the exemption for annual report Form BE-29 (Foreign Ocean Carriers' Expenses in the United States). An exemption based on number of calls by foreign carriers will be added and the exemption level based on the value of reportable transactions will be lowered. The change will more accurately identify persons with significant reportable transactions. This action will also place a limit on the number of reports required for certain kinds of carriers. As a result of this action, the number of reporters and number of reports filed by respondents will be reduced, thereby reducing both reporting and processing burdens.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment	08/00/88	
Period End		
Final Action	09/00/88	
Final Action	10/00/88	
Effective		

Small Entity: No

Agency Contact: Anthony J. DiLullo, Assistant Chief, Department of Commerce, Bureau of Economic Analysis, Balance of Payments Division, Bureau of Economic Analysis BE-58, Washington, DC 20230, 202 523-0621

RIN: 0691-AA13

222. INCREASE IN EXEMPTION LEVEL OF ANNUAL SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES (FORM BE-15) CONDUCTED BY BEA

Legal Authority: 22 USC 3101 to 3108
 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will raise the exemption level for Form BE-15 (Annual Survey of Foreign Direct Investment in the United States) from \$10 million to \$20 million. The purpose of the action is to bring the exemption level into conformance with that for Form BE-12 (LF) of the Benchmark Survey of Foreign Direct Investment in the United States-1987. As a result of the action, the number of reports filed by U.S. companies will be significantly reduced, thereby reducing both reporting and processing burden.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment	11/00/88	
Period End		
Final Action	02/00/89	
Final Action	03/00/89	
Effective		

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, 202 523-0659

RIN: 0691-AA14

DEPARTMENT OF COMMERCE (DOC)
Bureau of Economic Analysis (BEA)
Completed Actions
**223. BENCHMARK SURVEY OF
FOREIGN DIRECT INVESTMENT IN
THE UNITED STATES -- 1987**

Legal Authority: 22 USC 3101 to 3108
Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806.15; 15 CFR 806.17

Legal Deadline: Statutory. The survey must cover the year 1987.

Abstract: This action will amend existing rule 15 CFR Part 806.17 to provide for the conduct of the BE-12, Benchmark Survey of Foreign Direct Investment in the United States -- 1987, as required by the International Investment and Trade in Services Act, 22 USC 3101 to 3108 (see especially Sec 4(b) of the Act). The existing rule covers a similar survey for 1980, which has been completed and which the new survey will update.

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 42447
NPRM Comment Period End	12/21/87	
Final Action	01/15/88	53 FR 01015
Final Action Effective	02/16/88	

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, 202 523-0659

RIN: 0691-AA08

**224. REVISIONS IN REPORTING
REQUIREMENTS FOR SURVEYS OF
U.S. TRADE IN SERVICES WITH
FOREIGN PERSONS**

Legal Authority: 22 USC 3101 to 3108
Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 801

Legal Deadline: None.

Abstract: This action will amend 15 CFR 801 to bring three existing BEA services surveys into conformance with the new BE-20 Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons -- 1986 and with its anticipated annual follow-on survey. Specifically, it will: (1) change the titles of the three surveys to clarify coverage. The title of the BE-47 survey will change to "Annual Survey of Construction, Engineering, Architectural, and Mining Services

Provided by U.S. Firms to Unaffiliated Foreign Persons." The title of the BE-48 survey will change to "Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons." The title of the BE-93 survey will change to "Annual Survey of Royalties, License Fees, and Other Receipts and Payments for Intangible Rights Between U.S. and Unaffiliated Foreign Persons." (2) Amend 15 CFR 801.9(b) (4) to expand coverage of the BE-48 survey to include direct insurance as well as reinsurance transactions. In designing the BE-20 survey, it was decided to include direct insurance on the existing BE-48 survey rather than on the BE-20. (CONT.)

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36587
NPRM Comment Period End	11/16/87	
Final Action	12/09/87	52 FR 46587
Final Action Effective	01/08/88	52 FR 46588

Small Entity: No

Additional Information: ABSTRACT CONT: Heretofore, no data on direct insurance transactions with foreign persons have been collected. (3) Amend 15 CFR 801 to revise the description of "Who must report" in the three surveys for clarification purposes; no substantive changes are intended. (4) Amend 15 CFR 801 to apply existing exemption levels for the BE-47 and 48 surveys to newly added items. No change in the exemption levels themselves is planned. For the BE-47 survey, the current exemption level will be applied to the gross book value of new contracts received. For the BE-48 survey, the current exemption level will be applied to primary insurance premiums received and primary insurance losses paid.

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, 202 523-0659

RIN: 0691-AA09

**225. RULE TO CHANGE REPORTING
CRITERIA FOR MINORITY-OWNED
FOREIGN AFFILIATES ON FORM BE-
11C OF THE ANNUAL SURVEY OF
U.S. DIRECT INVESTMENT ABROAD**

Legal Authority: 22 USC 3101 to 3108
Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806.14(f)(3)(iii), (Revision)

Legal Deadline: None.

Abstract: This action will revise 15 CFR 806.14(f) (3) (iii) by lowering the percentage of ownership above which a minority-owned foreign affiliate must be reported on Form BE-11C of BEA's Annual Survey of U.S. Direct Investment Abroad. The ownership cutoff now used on the BE-11c is 25 percent. However, foreign business enterprises owned between 10 and 25 percent by a U.S. person are, by definition, also considered foreign affiliates and are thus part of the universe of U.S. direct investment abroad. Experience has shown that some of these affiliates with low ownership interests are, nevertheless, very large. Without the type of information collected on the form, data for such affiliates and, thus, for the universe as a whole, cannot be accurately estimated. For affiliates owned at least 20 percent, but less than 25 percent, by the U.S. Reporter and for which total assets, sales or net income exceed \$10 million, this action would require reporting of all 7 data items on the form. For affiliates owned at least 10 percent, but less than 20 percent, by the U.S. Reporter and for which total assets, sales, or net income exceed (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/14/87	52 FR 34685
NPRM Comment Period End	10/14/87	
Final Action	11/04/87	52 FR 42275
Final Action Effective	12/04/87	52 FR 42275

Small Entity: No

Additional Information: ABSTRACT CONT: \$100 million, this action would require reporting of only 3 data items--assets, sales, and net income--and only for fiscal year 1987.

Agency Contact: Patricia Walker, Chief, Direct Investment Abroad Branch, Department of Commerce, Bureau of Economic Analysis, 1401 K

DOC—BEA

Completed Actions

Street, NW, Room 603, Tower Building,
Washington, DC 20230, 202 523-0661

RIN: 0691-AA11

DEPARTMENT OF COMMERCE (DOC)
Bureau of the Census (CENSUS)

Proposed Rule Stage

226. FOREIGN TRADE STATISTICS REGULATIONS

Significance: Regulatory Program

Legal Authority: 13 USC 301 to 307

CFR Citation: 15 CFR 30.1 to 30.92

Legal Deadline: None. Deadline is contingent upon legislation not yet passed.

Abstract: Review of CFR 30 for changes to conform with the new statistical classification (harmonized) system for imports and exports. This review will combine elements of housekeeping changes, updating obsolete information, clarification, bringing the system into line with harmonization (including

metric measurements) and conformance of reporting with current practices.

There should be no added burden or cost placed on the public because no additional information is required, nor new reporting requirements.

The benefits of these changes will be: allowing direct comparisons between U.S. imports and exports, enabling comparisons between the trade balances of the U.S. and of our major trading partners.

Once the legislation is passed, there is no alternative to making these changes in order to implement the legislation. Additionally, Section 30.24 will be revised to be consistent with Customs

Regulations by eliminating the "four day rule" regarding submission of "Shipper's Export Declarations."

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: Don L. Adams, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Washington, DC 20233, 301 763-5342

RIN: 0607-AA10

DEPARTMENT OF COMMERCE (DOC)
Bureau of the Census (CENSUS)

Completed Actions

227. SHIPPER'S EXPORT DECLARATION -- FOREIGN TRADE STATISTICS

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30; 15 CFR 30.55(h)

Legal Deadline: None.

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations to raise the present exemption for filing shipper's Export Declarations (except

for shipments requiring a validated export license) from \$1000 to \$1500. The exemption for shipments through the U.S. Postal Service will remain at \$500.

Timetable:

Action	Date	FR Cite
NPRM	04/24/87	52 FR 13714
NPRM Comment Period End	06/23/87	
Final Action	08/31/87	52 FR 32782

Action	Date	FR Cite
Final Action Effective	10/01/87	

Small Entity: No

Agency Contact: Don L. Adams, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Washington, DC 20233, 301 763-5342

RIN: 0607-AA09

DEPARTMENT OF COMMERCE (DOC)
Economic Development Administration (EDA)

Final Rule Stage

228. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- DESIGN, CONSTRUCTION OF BUILDINGS TO ACCOMMODATE THE PHYSICALLY HANDICAPPED

Legal Authority: 42 USC 4151 to 4156; 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.14

Legal Deadline: None.

Abstract: Existing regulations will be amended if necessary to reflect the

most recent (1980) standards of the American National Standards Institute (ANSI) for handicap accessibility as well as the "Minimum Guidelines and Requirements for Accessible Design" published by the Architectural and Transportation Barriers Compliance Board (47 FR 33862, August 14, 1982) and the proposed "Uniform Federal Accessibility Standards" published by GSA (comments due by August 22, 1983).

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development

DOC—EDA

Final Rule Stage

Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA05

229. ECONOMIC DEVELOPMENT ADMINISTRATION: PROPERTY MANAGEMENT STANDARDS

Legal Authority: 40 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Legal Deadline: None.

Abstract: EDA's regulations regarding the use and disposition of real property acquired or improved with federal funds is being revised to clarify EDA policy regarding the authorized use and disposition of grant property (real property) and in particular requirements regarding the lease and/or sale of such property. As revised the change will clarify present requirements for property determining the appropriate amount of compensation due the Federal Government upon the sale of real property acquired or improved with grant funds.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA07

230. PROPERTY MANAGEMENT STANDARDS -- MORTGAGES

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314.5

Legal Deadline: None.

Abstract: These amendments allow the Assistant Secretary to waive the prohibition against placing mortgages on property which has been financed by an EDA public works grant, if an additional condition is met. This

additional condition for waiver is that all proceeds from a loan which is secured by a mortgage or lien on property which has been financed by an EDA public works grant shall be available only to the grantee and such proceeds shall be used on the project which secures such loans, or for working capital purposes relating to that project.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/30/84	49 FR 22463
Final Action	06/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA12

231. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- FLOOD INSURANCE PROGRAM; AND ENVIRONMENTAL REQUIREMENTS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.15; 13 CFR 309.18

Legal Deadline: None.

Abstract: This rule amends EDA's regulation at 13 CFR 309.15 on Flood Hazard to reflect a shift in the administration of the Flood Insurance Program from the Department of Housing and Urban Development (HUD) to the Federal Emergency Management Agency (FEMA). It also updates environmental regulations at 13 CFR 309.18.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/25/86	51 FR 23042
Final Action	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th & Constitution Avenue, NW, Room 7215, Washington, DC 20230, 202 377-2710

RIN: 0610-AA16

232. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE: EMPLOYMENT OF EXPEDITERS OR ADMINISTRATIVE EMPLOYEES; COMPENSATION OF PERSONS ENGAGED BY OR ON BEHALF OF APPLICANTS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309

Legal Deadline: None.

Abstract: This rule amends EDA's general requirements regulation -- employment of expeditors or administrative employees -- concerning EDA positions involving discretion, to conform to the reorganization of EDA pursuant to Department of Commerce Organization Order 45-1. Old positions which are no longer in existence are deleted. New comparable positions are listed in the amended regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/85	50 FR 97
Final Action	06/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel for Economic Development and Administration, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. & Const. Ave., NW, Washington, DC 20230, 202 377-5441

RIN: 0610-AA18

233. OVERALL ECONOMIC DEVELOPMENT PROGRAM PUBLIC WORKS AND DEVELOPMENT FACILITIES PROGRAM

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 302; 13 CFR 304; 13 CFR 305

DOC—EDA

Final Rule Stage

Legal Deadline: None.

Abstract: This rule amends EDA's rules by updating provisions concerning Public Works Impact Areas and Special Impact Areas, specifically as to Designation Requirements; Overall Economic Development Program Requirements; and Supplementary Grant Rates.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/07/86	51 FR 24512
Final Action	06/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th & Constitution Avenue NW, Room 7215, Washington, DC 20230, 202 377-2710

RIN: 0610-AA19

234. DESIGNATION OF AREAS; DESIGNATION OF PWIP AREAS

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 302

Legal Deadline: None.

Abstract: 13 CFR Part 302 at Section 302.7 entitled "Designation of Public Works Impact Program Areas" is amended at paragraph (a)(4) to delete reference to submission of an Overall Economic Development Program (OEDP) since under EDA's authorizing legislation, Public Works Impact Program (PWIP) projects need not meet OEDP requirements; and to add that although there are no boundary constraints for PWIPs under the Act, program considerations dictate that for an area to be given PWIP designation, it must be capable of analysis in light of available data establishing eligibility for designation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/86	51 FR 24302
Final Action	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. and Const. Ave., NW, Room 7215, Washington, DC 20230, 202 377-2710

RIN: 0610-AA21

235. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE; UNFAIR COMPETITION

Legal Authority: 42 USC 3211; Dept. of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309

Legal Deadline: None.

Abstract: 13 CFR 309 at Sec 309.2 entitled "Unfair Competition" has been amended to change conditions under which EDA will conduct a study (verification and evaluation) called a "702 Study" of the capacity and demand for particular goods, materials, commodities, services or facilities. The amendment will narrow the unfair competition requirements for a "702 Study" by raising the threshold amount of projects from \$10,000 to \$25,000. Also, the unfair competition exceptions have been expanded to apply to all EDA financial assistance programs. Certain projects are exempt from "702 Study" requirements and the definition of retention of capacity and employment has been changed by deleting the word "existing."

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/02/86	51 FR 16292
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. and Const. Ave., NW, Room 7215, Washington, DC 20230, 202 377-2710

RIN: 0610-AA22

236. SALE OF LOANS AND LOAN GUARANTEES TO THE PRIVATE SECTOR

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR Chapter III

Legal Deadline: None.

Abstract: EDA seeks to repeal the limitation in the Commerce Appropriation Act ("McDade Amendment") whereby funds cannot be used to sell any loan to private interests, except with the consent of the borrower.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4678

RIN: 0610-AA31

237. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- NONRELOCATION

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.3

Legal Deadline: None.

Abstract: This rule will amend EDA's nonrelocation rule by changing the rate of interest to be charged when failure to abide by the nonrelocation rule results in termination of financial assistance provided by EDA. Interest will be at the rate used in Federal debt collection and discount evaluation under the Debt Collection Act. The rule will also state that the 48 month period for compliance by covered grantees is retroactive if the violation occurs after September 15, 1986.

DOC—EDA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/10/87	52 FR 21932
Final Action	05/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA32

238. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE - PROJECT MODIFICATION

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.26

Legal Deadline: None.

Abstract: The purpose of this amendment is to conform the statement of EDA's policy on project modification to guidelines established by the General Accounting Office on change of scope, by putting into regulatory language, that which has been actual EDA practice. The rule change provides standards and states that EDA will not allow project modification which would constitute a change of scope.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/20/87	51 FR 37175
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA33

239. PROTECTION OF EDA'S INTEREST IN FACILITIES ACQUIRED, BUILT, OR IMPROVED WITH EDA GRANT FUNDS

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Legal Deadline: None.

Abstract: EDA intends to initiate regulatory action to protect its interests by: (1) enabling EDA to acquire liens in property purchased or improved with EDA grant funds; and (2) once EDA has such ownership rights in property, by enabling EDA to expend funds to protect and care for such property, including liquidation, litigation or any other necessary action. The latter regulatory action is contingent upon legislation being enacted which authorizes EDA to expend funds and take other actions to protect its ownership rights in property purchased or improved with EDA grant funds. The Department of Commerce Legislative Program for the Second Session of the 100th Congress includes the submission of appropriate legislation to the Congress.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	07/00/88	
Final Action Effective	07/00/88	
Proposed Legislation	00/00/00	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA35

240. LIABILITY FOR HAZARDOUS SUBSTANCES ASSOCIATED WITH EDA LOANS AND LOAN GUARANTEES

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR Chapter III

Legal Deadline: None.

Abstract: EDA will undertake some action to enable it to minimize financial losses resulting from hazardous substances on property it has acquired as a result of defaulted business loans and loan guarantees.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/88	
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA36

241. ● ADJUSTMENT GRANTS - REVOLVING LOAN FUNDS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 308

Legal Deadline: None.

Abstract: This would amend EDA's rule on adjustment grants to provide that revolving loan fund (RLF) grants are held in trust by the grantee as trustee for the benefit of borrowers and potential borrowers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Acting Chief Counsel, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., Room 7001, 14th St. &

DOC—EDA

Final Rule Stage

Constitution Ave., NW, Washington,
DC 20230, 202 377-4687

RIN: 0610-AA37

DEPARTMENT OF COMMERCE (DOC)

Final Rule Stage

General Administration (ADMIN)

242. NONPROCUREMENT
DEBARMENT AND SUSPENSION

Legal Authority: EO 12549, Debarment
and Suspension

CFR Citation: 15 CFR 26

Legal Deadline: None.

Abstract: To eliminate duplicative and
inconsistent debarment and suspension
actions across the government. Private
actions or actions by other levels of

government would lack broad enough
jurisdiction. This regulation will benefit
the U.S. by eliminating duplicative and
costly actions. Benefits have not been
quantified at this time.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	12/21/87	52 FR 39021
Final Action	05/00/88	

Small Entity: Undetermined

Government Levels Affected: Local,
State, Federal

Agency Contact: Robert McNamara,
Grants/Cooperative Agreement
Specialist, Department of Commerce,
General Administration, 14th &
Constitution Avenue, NW, Washington,
DC 20230, 202 377-5817

RIN: 0605-AA02

DEPARTMENT OF COMMERCE (DOC)

Completed Actions

General Administration (ADMIN)

243. UNIFORM ADMINISTRATIVE
REQUIREMENTS FOR GRANTS AND
COOPERATIVE AGREEMENTS TO
STATE AND LOCAL GOVERNMENTS

Legal Authority: 5 USC 301

CFR Citation: 15 CFR 24

Legal Deadline: None.

Abstract: This action states the fiscal
and administrative conditions governing
grants to State and local governments
and subrecipients which are State and
local governments. It is intended to

simplify and standardize the Federal
grant process and eliminate redundant
and inconsistent administrative
requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21820
NPRM Comment Period End	08/10/87	
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Government Levels Affected: Local,
State

Agency Contact: Robert M. McNamara,
Grants/Cooperative Agreement
Specialist, Department of Commerce,
General Administration, Room H6204,
14th Street and Constitution Ave., NW,
Washington, DC 20230, 202 377-5817

RIN: 0605-AA03

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

International Trade Administration (ITA)

244. GENERAL REGULATIONS
GOVERNING FOREIGN TRADE ZONES
IN THE UNITED STATES, WITH RULES
OF PROCEDURES

Legal Authority: 19 USC 81a et seq For-
eign-Trade Zones Act of 1934

CFR Citation: 15 CFR 400

Legal Deadline: None.

Abstract: Revision of the regulation is
needed to administer the Foreign-Trade
Zones Act of 1934, as amended, to
provide for the establishment,
operation, and maintenance of foreign-
trade zones in ports of entry of the
United States. At the time the ANPRM
was published the emphasis was on

changing the rules to provide improved
guidance to the public on procedures
and criteria followed in making
decisions concerning special-purpose
subzones and operations detrimental to
the public interest. Since that time, it
has been decided to propose revisions
to the entire 15 CFR 400 in order to
update the language and conform it to
current CFR format.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/80	45 FR 67681
ANPRM Comment Period End	12/15/80	

Action	Date	FR Cite
NPRM	02/18/83	48 FR 7151
NPRM Comment Period End	04/19/83	48 FR 7188

Next Action Undetermined

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local,
State

Agency Contact: William D. Hunter,
Acting Deputy Chief Counsel for Import
Administration, Department of
Commerce, International Trade
Administration, Room 3622,

DOC—ITA

Proposed Rule Stage

Pennsylvania Ave. and 14th St., NW,
Washington, DC 20230, 202 377-1411

RIN: 0625-AA04

245. ANNUAL WATCH QUOTA ALLOCATIONS

Legal Authority: PL 97-466, Sec 110
(1983); 19 USC 1202 general headnote 3(a)

CFR Citation: 15 CFR 303

Legal Deadline: None.

Abstract: The regulation allocates watch quotas on an annual basis, in compliance with the requirements of the statute and regulations. Program issues allocations no later than March 1 of each year, under section 303.6(b) of the regulations.

Timetable:

Action	Date	FR Cite
Proposed allocation of watches	04/00/88	

Small Entity: No

Agency Contact: Frank Creel, Director, Statutory Import Programs Staff, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Rm. 1523, Washington, DC 20230, 202 377-1660

RIN: 0625-AA25

246. ANTIDUMPING AND COUNTERVAILING DUTIES; MODIFICATIONS

Legal Authority: 19 USC 1303; 19 USC 1516a; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Legal Deadline: None.

Abstract: As appropriate, the ITA will amend the current regulations in effect at the time of enactment of modifications in the statutory authority for imposing antidumping and countervailing duties, if such legislation is enacted in 1988 or 1989.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Washington, DC 20230, 202 377-1411

RIN: 0625-AA26

247. EXPORT TRADE CERTIFICATES OF REVIEW

Significance: Agency Priority

Legal Authority: 15 USC 4020

CFR Citation: 15 CFR 325

Legal Deadline: None.

Abstract: Changes in 15 CFR Part 325 may become necessary as a result of pending trade legislation.

Timetable:

Action	Date	FR Cite
NPRM	12/21/82	47 FR 56972
Interim Final Rule	03/11/83	48 FR 10596
Final Action	01/08/85	50 FR 1804

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Government Levels Affected: Local, State, Federal

Agency Contact: George Muller, Deputy Director, Office of Export Trading Company Affairs, Department of Commerce, International Trade Administration, 202 377-5131

RIN: 0625-AA27

248. ● DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM (DPAS)

Legal Authority: 50 USC 2061 et seq; EO 10480

CFR Citation: 15 CFR 350

Legal Deadline: None.

Abstract: The Defense Priorities and Allocations System (DPAS) implements the priorities and allocations authority of Title I of the Defense Production Act of 1950, as amended. The DPAS was published as a final rule on July 30, 1984. Based on the findings and recommendations of an interagency sponsored study concerning the controlled materials program, and comments from both defense agency and industry users, this proposed rule would amend the DPAS to remove the controlled materials provisions and make certain revisions to its procedural requirements. These amendments will have no costs associated with them, would reduce the regulatory and information reporting burden on industry and make the DPAS more effective and efficient, and would result in cost savings for defense contractors.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Richard V. Meyers, DPAS Program Manager, Department of Commerce, International Trade Administration, Office of Industrial Resources Admin., National Security Preparedness Div., Room 3878, Washington, DC 20230, 202 377-3634

RIN: 0625-AA28

DEPARTMENT OF COMMERCE (DOC) International Trade Administration (ITA)

Final Rule Stage

249. ADJUSTMENT ASSISTANCE FOR FIRMS AND INDUSTRIES

Legal Authority: 19 USC 2341 et seq

CFR Citation: 15 CFR 320

Legal Deadline: None.

Abstract: This regulation will implement the responsibilities transferred from EDA to ITA concerning the provision of adjustment assistance to firms and industries adversely affected by imports. The proposed rule will reflect amendments

to the authorizing legislation and make procedural changes required because of the transfer of the program to ITA. Proposed rules were published in the Federal Register (November 1984).

DOC—ITA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/13/84	49 FR 44903
NPRM Comment Period End	12/13/84	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: Further action on this regulation is under study by the Department.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John F. Mizroch, Deputy Assistant Secretary, Department of Commerce, International Trade Administration, Office of Trade Adjustment Assistance, Washington, DC 20230, 202 377-0150

RIN: 0625-AA05

250. ANTIDUMPING DUTIES; COUNTERVAILING DUTIES

Significance: Regulatory Program

Legal Authority: 19 USC 1303; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Legal Deadline: None.

Abstract: Current antidumping and countervailing duty regulations will be revised to reflect recent statutory changes and current administrative practices and to improve the clarity of the regulations. The revisions will improve administrative efficiency in enforcement of the antidumping and countervailing duty laws. The revisions will replace the entire text of 19 CFR Parts 353 and 355.

Timetable:

Action	Date	FR Cite
NPRM CVD Regulations	06/10/85	50 FR 29225
NPRM Comment Period End CVD Regulations	09/09/85	50 FR 32088
NPRM AD Regulations	08/13/86	51 FR 29046

Action Date FR Cite

NPRM Comment Period End AD Regulations	09/30/86	
Final Action AD Regulations	06/30/88	
Final Action CVD Regulations	06/30/88	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, Room 3622, Pennsylvania Ave. & 14th St., NW, Washington, DC 20230, 202 377-1411

RIN: 0625-AA08

251. REVISIONS TO SHORT SUPPLY REGULATIONS

Legal Authority: 50 USC app 2401 et seq; PL 99-64; 42 USC app 2401 et seq; 10 USC 7420 et seq; 43 USC 1354; 30 USC 185; EO 11912; EO 12214; EO 12002

CFR Citation: 15 CFR 371; 15 CFR 377; 15 CFR 399

Legal Deadline: None.

Abstract: On July 12, 1985, the Export Administration Amendments Act of 1985 (PL 99-64) extended and amended the Export Administration Act of 1979 (50 USC app 2401, et seq.)(EAA). Certain changes were made to the Short Supply provisions of Section 7 of the EAA. Accordingly, revision of the Short Supply provisions (15 CFR 377) and related licensing requirements (15 CFR 371 and 399) of the Export Administration Regulations (15 CFR 368-399) is necessary. An interim final rule was issued which included (1) elimination of the validated licensing requirement for exports of refined petroleum products so as to permit their export with certain restrictions under a general license; (2) a new definition of "crude oil" for purposes of the regulation; and (3) certain technical and housekeeping changes. There are no costs associated with this action which would promote the export of decontrolled products.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/09/85	50 FR 41131
Final Action	12/00/88	

Small Entity: Yes

Agency Contact: Rodney A. Joseph, Short Supply Program Manager, Department of Commerce, Export Administration, Office of Technology and Policy Analysis, Room 1634, Washington, DC 20230, 202 377-3205

RIN: 0625-AA21

252. SANCTIONS FOR VIOLATION OF ANTIDUMPING AND COUNTERVAILING DUTY PROTECTIVE ORDERS

Significance: Regulatory Program

Legal Authority: 19 USC 1677

CFR Citation: 19 CFR 353; 19 CFR 354, (added); 19 CFR 355

Legal Deadline: None.

Abstract: The ITA will add a new part 354 to the antidumping (part 353) and countervailing duty (part 355) regulations that establishes procedures for imposing sanctions against an individual, firm or other entity that violates the terms of an administrative protective order issued under 19 U.S.C. 1677. We will make conforming changes in parts 353 and 355.

Timetable:

Action	Date	FR Cite
NPRM	07/06/87	52 FR 25246
NPRM Comment Period End	09/04/87	
Final Action	04/30/88	

Small Entity: No

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Room 3622, Washington, DC 20230, 202 377-1411

RIN: 0625-AA24

DEPARTMENT OF COMMERCE (DOC)
International Trade Administration (ITA)
Completed Actions
**253. EFFECT OF IMPORTED
ARTICLES ON THE NATIONAL
SECURITY**

Legal Authority: 19 USC 1862 Trade Expansion Act of 1962, as amended; 5 USC App. Reorganization Plan No. 3 of 1979; EO 12188

CFR Citation: 15 CFR 359

Legal Deadline: None.

Abstract: Section 359.10(a) of the existing regulation requires that a report of an investigation be organized into several sections containing classified and unclassified information. Paragraph (c) of that section requires that the report (excluding confidential material) be published in the Federal Register. Paragraph (a) will be amended

to delete the report organization requirement and paragraph (b) will be amended to permit publication of either the full report or a summary thereof. It is impractical, time consuming, and not cost effective to organize the report, and publish the full report, as now required by the regulation. Section 359.10(c) will also be amended to provide that a copy of the report will be available to the public from the Publications Distribution Office of the Department rather than at ITA's Freedom of Information Records Inspection Facility.

Timetable:

Action	Date	FR Cite
Withdrawn	01/13/88	

Small Entity: Not Applicable

Additional Information: No revision of the regulation is required at this time.

Affected Sectors: None

Agency Contact: Edward Levy, 232 Program Manager, Department of Commerce, International Trade Administration, Strategic Analysis Division, Washington, DC 20230, 202 377-2322

RIN: 0625-AA15

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)
Proposed Rule Stage
**254. FIPS FOR INFORMATION
RESOURCE DICTIONARY SYSTEM
(IRDS)**

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (now draft proposed) which will promote portability of information resources. The Information Resource Dictionary System is a software system for recording, storing, and processing descriptions of an organization's significant data. Use of the standard will improve identification of data that can be shared within an organization, reduce unnecessary development of computer programs, and increase portability of staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	08/13/85	50 FR 32610
NPRM Comment Period End	11/12/85	50 FR 32610

Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of

Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA38

**255. FIPS FOR CODES FOR THE
IDENTIFICATION OF AQUIFER NAMES
AND GEOLOGIC UNITS**

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 15 CFR 6

Legal Deadline: None.

Abstract: This standard will adopt for Federal government use codes for aquifer names and geologic units developed by the Department of the Interior under its Memorandum of Understanding with NBS to develop and maintain earth science data element and representation standards. The standard will facilitate the interchange of information among Federal departments and agencies.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of

Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA44

**256. FIPS FOR C PROGRAMMING
LANGUAGE**

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed standard) which defines the syntax of the C programming language and the semantics for its interpretation. The standard will be used by implementors as the reference authority in developing compilers, interpreters or forms of high level language processors and by other computer professionals who need to know the precise syntactic and semantic rules of the standard. Use of this standard will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff training and skills.

Timetable:

Action	Date	FR Cite
NPRM	01/09/87	52 FR 851
NPRM Comment Period End	04/09/87	52 FR 851

Next Action Undetermined

DOC—NBS

Proposed Rule Stage

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA48

257. FIPS FOR RECORDED MAGNETIC TAPE CARTRIDGE FOR INFORMATION INTERCHANGE; 4-TRACK, SERIAL, 0.250 IN (6.30 MM), 6400 BPI (252 BPMM) INVERTED MODIFIED FREQUENCY MODULATION ENCODED

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides the format and recording requirements for magnetic tape cartridges. The standard defines the requirements and supporting test methods needed to ensure data interchange between information systems, communications systems, and associated equipment.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA51

258. FIPS FOR SERIAL RECORDED MAGNETIC TAPE CARTRIDGE FOR INFORMATION INTERCHANGE; FOUR AND FIVE TRACK, 0.250 IN (6.30 MM) 8000 BPI (315 BPMM) STREAMING MODE GROUP CODE RECORDING

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides the format and recording requirements for magnetic tape cartridges. The standard defines the requirements and supporting test methods needed to ensure data interchange between information systems, communications systems, and associated equipment.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA52

259. FIPS FOR ONE-HALF INCH MAGNETIC TAPE INTERCHANGE USING A SELF LOADING CARTRIDGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.85-1981) which provides the requirements and test methods necessary to ensure physical interchange of a self loading cartridge to be used with 1/2 inch wide magnetic tape.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA53

260. FIPS FOR RECORDED FORMATS FOR ONE AND TWO-SIDED 5.25 INCH (130 MM) AND 3.5 IN (90 MM) FLEXIBLE DISK CARTRIDGES

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that specifies the track layout, track format, and other characteristics of the recorded signal. This is one part of a set of functional specifications needed to ensure interchangeability of data between information processing systems by use of a physically removable medium.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA54

261. FIPS FOR RECORDED MAGNETIC TAPE AND CARTRIDGE FOR INFORMATION INTERCHANGE; 18 TRACK, PARALLEL, 12.65 MM (1/2 IN), 1491 CPMM (37871 CPI) GROUP-CODED RECORDING

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides requirements for a tape cartridge to be used for information interchange among information processing systems, communications systems, and associated equipment. Used with associated standards for unrecorded media, tape labels and file structures, this standard will support data interchange between different systems.

DOC—NBS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA55

262. FIPS FOR DEVICE LEVEL INTERFACE FOR STREAMING CARTRIDGE AND CASSETTE TAPE DRIVES

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.146-1986) that specifies the interface between streaming cartridge and cassette tape drives, and small computer systems. This standard will facilitate the acquisition of cartridge and cassette tape drives made by different manufacturers, expand the Federal Government's sources of supply, and reduce costs of acquisition.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA57

263. FIPS FOR ELECTRONIC BUSINESS DATA EXCHANGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: A group of voluntary industry standards that will facilitate computer-to-computer interchange of procurement data will be adopted as FIPS. Developed by Accredited Standards Committee X12, the standards will provide standard data elements, formats, and contents of electronic messages containing procurement-related information. These standards will reduce paperwork, improve productivity, and enable more effective information and inventory management.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA62

264. ● EXTENSIONS TO FIPS 127, DATABASE LANGUAGE SQL

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The proposed extensions will adopt American National Standards (both currently draft standards) to the SQL language for relational databases. One proposal (Draft Addendum ISO 9075/DAD 1) provides features for assuring the correctness of data that is organized in SQL databases. The other proposal specifies interfaces between SQL and other programming languages including Ada, C, COBOL, FORTRAN,

PASCAL, and PL/I. Use of these extensions will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA63

265. ● FIPS FOR PROGRAMMER'S HIERARCHICAL INTERACTIVE GRAPHICS SYSTEM (PHIGS)

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This FIPS will adopt the American National Standard Programmer's Hierarchical Interactive Graphics System (ANSI X3.144-198X). This standard will improve the portability of graphics application programs among different manufacturers' computer systems and will help agencies make more effective use of staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA64

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)

Final Rule Stage

266. REVISION TO FIPS 100, INTERFACE BETWEEN DATA TERMINAL EQUIPMENT (DTE) AND DATA CIRCUIT-TERMINATING EQUIPMENT (DCE) FOR OPERATION WITH PACKET-SWITCHED DATA COMMUNICATIONS NETWORKS
Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This revision will make the standard consistent with minor changes that were made to Recommendation X.25 by the Consultative Committee for International Telegraph and Telephone in 1984. This is an international standard for data processing equipment, services and telecommunications equipment using public packet switched data communications networks.

Timetable:

Action	Date	FR Cite
NPRM	07/10/86	51 FR 25088
NPRM Comment Period End	10/08/86	51 FR 25088
Final Action	06/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA39

267. FIPS FOR PORTABLE OPERATING SYSTEM ENVIRONMENTS (POSIX)**
Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt the Institute of Electrical and Electronics Engineers (IEEE) Standard for Portable Operating System for Computer Environments (IEEE 1003.1/POSIX**). This standard will facilitate the interchange of computer programs between UNIX operating system derived environments and make it possible to increase the productivity of staff members who develop and document computer programs for these systems.

* UNIX is a registered trademark of AT&T.

**POSIX is a trademark of the IEEE.

Timetable:

Action	Date	FR Cite
NPRM	08/29/86	51 FR 30896
NPRM Comment Period End	11/28/86	51 FR 30896
Final Action	06/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA49

268. FIPS FOR STANDARD GENERALIZED MARKUP LANGUAGE (SGML)
Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an International Standard ISO/DIS 8879 (currently a draft standard) which standardizes the application of generic coding and generalized markup concepts for documents that are processed by text processing and word processing systems. It provides a coherent and unambiguous syntax for describing what a user chooses to identify within a document. Use of this standard will facilitate the interchange of documents among systems with differing text processing languages and the processing of documents by more than one application, when applications use the same text processing language.

Timetable:

Action	Date	FR Cite
NPRM	10/29/87	52 FR 41609
NPRM Comment Period End	01/27/88	52 FR 41609
Final Action	09/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of

Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA50

269. REVISIONS TO FIPS 60, 61, 62, 63, 97, AND 111, COMPUTER SYSTEM INPUT/OUTPUT (I/O) INTERFACE STANDARDS
Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Revisions to the family of input/output (I/O) interface standards will be proposed to reflect changes in computer technology and to facilitate the interconnection of peripherals to personal and minicomputers. New applicability, implementation and waiver provisions will be proposed to existing interface standards to be effective after January 1, 1990. A transition plan to cover the period from January 1988 to January 1990 will also be proposed.

Timetable:

Action	Date	FR Cite
NPRM	11/19/87	52 FR 44462
NPRM Comment Period End	02/17/88	52 FR 44462
Final Action	12/00/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA59

270. FIPS FOR GOVERNMENT OPEN SYSTEMS INTERCONNECTION PROFILE
Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt a procurement specification developed by the Government Open Systems Interconnection Users Group. The specification will enable the Federal government to acquire computer network systems that conform to

DOC—NBS

Final Rule Stage

national and international standards for OSI. The specification addresses needs to acquire multivendor systems using available or soon-to-be-available standard products.

Timetable:

Action	Date	FR Cite
NPRM	10/28/87	52 FR 41488
NPRM Comment Period End	01/26/88	52 FR 41488
Final Action	06/00/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA61

DEPARTMENT OF COMMERCE (DOC)

Completed Actions

National Bureau of Standards (NBS)

271. FIPS PUB 68-2, BASIC

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard adopts American National Standard (ANSI X3.113-1987) which defines the syntax of the BASIC programming language and the semantics for its interpretation. The standard will be used by implementors as the reference authority in developing compilers, interpreters or forms of high level language processors and by other computer professionals who need to know the precise syntactic and semantic rules of the standard. Use of this standard will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff training and skills.

Timetable:

Action	Date	FR Cite
NPRM	01/13/86	51 FR 1418
NPRM Comment Period End	04/14/86	51 FR 1418
Final Action	08/28/87	52 FR 32578
Final Action Effective	03/01/88	52 FR 32578

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA35

272. FIPS PUB 29-2, INTERPRETATION PROCEDURES FOR FEDERAL INFORMATION PROCESSING STANDARDS FOR SOFTWARE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This revision to the interpretation procedures for Federal Information Processing Standard programming languages will provide for more flexibility and more timely response to requests for interpretations by adding to the methods that are available for developing interpretations.

Timetable:

Action	Date	FR Cite
NPRM	12/10/86	51 FR 44505
NPRM Comment Period End	03/10/87	51 FR 44505
Final Action	09/14/87	52 FR 34696
Final Action Effective	09/14/87	52 FR 34696

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA47

273. FIPS FOR INTERFACES BETWEEN FLEXIBLE DISK CARTRIDGE DRIVES AND THEIR HOST CONTROLLERS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.80-1981) that specifies the interface between flexible disk drives and the host system. This standard will facilitate the acquisition of flexible disk drives made by different manufacturers, expand the Federal government's sources of supply, and reduce costs of acquisition.

Timetable:

Action	Date	FR Cite
Withdrawn -not needed to meet government requirements.	02/26/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA58

274. REVIEW OF FIPS 46, DATA ENCRYPTION STANDARD

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: FIPS 46, Data Encryption Standard (DES), will be reviewed to assess its adequacy in protecting unclassified computer information. FIPS 46 was approved for Federal government use in 1977 and reaffirmed in 1983. The DES specifies an algorithm to be implemented in electronic

DOC—NBS

Completed Actions

hardware devices and used for the cryptographic protection of computer data.

Timetable:

Action	Date	FR Cite
NPRM	03/06/87	52 FR 7006
NPRM Comment	06/04/87	52 FR 7006
Period End		

Action	Date	FR Cite
Final Action	01/22/88	53 FR 01813

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, 301 975-2833

RIN: 0693-AA60

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES SERVICE

275. MARINE FISHERY USER FEES

Significance: Regulatory Program

Legal Authority: Not Yet Determined

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: A marine fishery user fee system will provide a substantial and stable source of revenue to partially offset Federal fishery expenditures and information needed for effective fishery management. Fees would be collected from the sale of marine fish conservation permits and stamps, and from an assessment on landing or delivery of fish for commercial purposes. Revenues would be shared with the states for marine fishery conservation activities. Administration costs are estimated to be \$7,500,000 annually, with net Federal revenues of approximately \$40 million.

Timetable:

Action	Date	FR Cite
Next steps depend on Congressional action	00/00/00	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: \$7,500,000; Yearly Recurring Cost: \$7,500,000; Base Year for Dollar Estimates: 1986

Affected Sectors: 203 Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties

Government Levels Affected: State, Federal

Agency Contact: John T. Everett, Chief, Program Evaluation and Coordination Division, Department of Commerce, National Oceanic and Atmospheric

Administration, Management and Budget Staff, NMFS, Washington, DC 20235, 202 673-5464

RIN: 0648-AB93

276. TAKING OF MARINE MAMMALS INCIDENTAL TO UNDERWATER TESTS BY THE DEPARTMENT OF THE NAVY

Legal Authority: 16 USC 1361 to 1497 Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 228

Legal Deadline: None.

Abstract: Based on a request from the Department of the Navy, NMFS is considering regulations that would allow a small number of harbor seals and California sea lions to be taken incidental to underwater explosive tests in San Francisco Bay. Section 101(a)(5) of the Marine Mammal Protection Act allows the taking of small numbers of Marine mammals incidental to specified activities provided that certain findings can be made and regulations are established that set forth permissible methods of taking and requirements for monitoring and reporting.

Timetable:

Action	Date	FR Cite
ANPRM	08/01/88	

Small Entity: No

Agency Contact: Nancy Foster, Director, Office of Protected Resources, and Habitat Programs, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, 202 673-5350

RIN: 0648-AC08

277. AMENDMENT 1 GULF OF MEXICO REEF FISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 641

Legal Deadline: Statutory. 110 days after submission of the Amendment by the Fishery Management Council

Abstract: The regulations will attempt to rebuild declining reef fish stocks. It will propose to (1) prohibit use of fish traps, roller trawls, and powerheads within inshore stressed areas, (2) establish construction requirements, maximum size and numerical limits for fish traps, (3) require a permit for fish trap operators, and (4) establish a minimum size limit of 13 inches.

Timetable:

Action	Date	FR Cite
ANPRM	09/16/88	
NPRM	10/01/88	
NPRM Comment	11/14/88	
Period End		
Final Action	01/03/89	
Final Action Effective	02/02/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AC16

DOC—NOAA

Prerule Stage

278. AMENDMENT 8 TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES**Significance:** Regulatory Program**Legal Authority:** 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act**CFR Citation:** 50 CFR 652**Legal Deadline:** Statutory, 110 days after the Amendment is submitted by the Mid-Atlantic Fishery Management Council.

Abstract: Amendment 8 would address current regulatory restraints on industry designed to conserve the resource. The FMP objectives would be modified to promote economic stability, simplify regulations, and to allow more operational flexibility for the industry. Long-term management alternatives to be considered include an Individual Transferable Quota System and other limited effort vessel allocation schemes.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/88	
NPRM	08/18/88	
NPRM Comment	10/03/88	
Period End		
Final Action	11/22/88	
Final Action	12/22/88	
Effective		

Small Entity: Yes**Affected Sectors:** 091 Commercial Fishing**Government Levels Affected:** Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930-3799, 617 281-3600

RIN: 0648-AC19**279. ● AMENDMENT 2 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN****Significance:** Regulatory Program**Legal Authority:** 16 USC 1801 et seq; Magnuson Fishery Conservation & Mgmt. Act**CFR Citation:** 50 CFR 651**Legal Deadline:** Statutory, 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: Amendment 2 will provide additional protection to groundfish resources in the North Atlantic beyond

that provided by the FMP. The amendment is aimed at reducing fishing pressure on ten valuable fish species and rebuilding their stocks (cod; haddock; yellowtail, winter, windowpane, and witch flounders; pollock; redfish; American plaice; and white hake).

Timetable:

Action	Date	FR Cite
ANPRM	10/15/88	
NPRM	11/01/88	
NPRM Comment	12/15/88	
Period End		
Final Action	02/20/89	
Final Action	03/20/89	
Effective		

Small Entity: Yes**Affected Sectors:** 091 Commercial Fishing**Government Levels Affected:** Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930-3799, 617 281-3600

RIN: 0648-AC26**280. ● AMENDMENT 4 TO THE PACIFIC COAST GROUND FISH FISHERY MANAGEMENT PLAN****Legal Authority:** 16 USC 1801 et seq; Magnuson Fishery Conservation & Mgmt. Act**CFR Citation:** 50 CFR 663; 50 CFR 611.70**Legal Deadline:** Statutory, 110 days after the amendment is submitted by the Pacific Fishery Management Council.

Abstract: Amendment 4 will make many technical and format changes to the FMP to make it a more useful and up-to-date document. Amendment 4 may consider the following: broader framework authority to take timely inseason actions for social-economic reasons; long-term sablefish management, including possible allocation to user groups; procedures for establishing allowable incidental catch levels in other fisheries; a framework for reviewing and conforming Federal management measures to changes in California State management of the set net fishery south of 38 degrees N. latitude; the recreational bag limit for lingcod; the definitions and application of ABC and OY; effort limitation in the joint venture fishery for Pacific whiting; revision of

procedures regarding experimental fishing permits. The Amendment still is in the planning stage and may not include all these issues, or may add others.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/88	
NPRM	10/15/88	
NPRM Comment	11/29/88	
Period End		
Final Action	01/18/89	
Final Action	02/17/89	
Effective		

Small Entity: Undetermined**Affected Sectors:** 091 Commercial Fishing**Government Levels Affected:** Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Bldg 1, Seattle, WA 98115, 206 526-6150

RIN: 0648-AC43**281. ● AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC****Legal Authority:** 16 USC 1801 et seq; Magnuson Fishery Conservation & Mgmt. Act**CFR Citation:** 50 CFR 646**Legal Deadline:** Statutory, 110 days after the amendment is submitted by the South Atlantic Fishery Management Council.

Abstract: Amendment 1 would prohibit the use of trawl gear in the directed fishery for snapper-groupers. The ban would apply from Cape Hatteras south through the Atlantic coast of Florida. More than 25 percent of the catch by trawls in this area is from the snapper-grouper complex. The prohibition is aimed primarily at fishing with roller trawls which destroy sessile organisms, including sponges and sea fans.

Timetable:

Action	Date	FR Cite
ANPRM	06/16/88	
NPRM	07/01/88	
NPRM Comment	08/15/88	
Period End		
Final Action	10/05/88	
Final Action	11/04/88	
Effective		

Small Entity: Undetermined

DOC—NOAA

Prerule Stage

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC50

282. ● BLUEFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: Not yet determined

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The FMP would control the growth of the recreational and commercial fisheries in the EEZ. The Atlantic States Marine Fisheries Commission is developing a plan simultaneously with the Council and will coordinate state management with federal management of bluefish throughout its range.

Timetable:

Action	Date	FR Cite
ANPRM	11/01/88	
NPRM	11/16/88	
NPRM Comment Period End	01/01/89	
Final Action	02/22/89	
Final Action Effective	03/04/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930-3799, 617 281-3600

RIN: 0648-AC51

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

283. FEDERAL CONSISTENCY WITH APPROVED COASTAL ZONE MANAGEMENT PROGRAMS

Significance: Regulatory Program

Legal Authority: 16 USC 1456 Coastal Zone Management Act of 1972

CFR Citation: 15 CFR 930

Legal Deadline: None.

Abstract: On January 11, 1984, the U.S. Supreme Court issued its decision in Secretary of the Interior et al. v. California et al. No. 82-1326. The Court held that the sale of Outer Continental Shelf (OCS) oil and gas leases is not an activity "directly affecting" the Coastal Zone Management Act of 1972, as amended (CZMA), and therefore, that a consistency determination is not required under that section before such sales may be made. Section 307 (c)(1) required that Federal agencies conducting or supporting activities "directly affecting the coastal zone" must conduct or support those activities in a manner which is consistent to the maximum extent practicable with federally-approved state coastal zone management programs. NOAA engaged in rulemaking to revise certain CZMA regulations as a result of the Supreme Court decision. NOAA removed those

references which identify OCS lease sales as activities covered by the Section 307(c)(1) requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/84	49 FR 22825
ANPRM Comment Period End	08/31/84	49 FR 22825
NPRM	01/28/85	50 FR 3798
NPRM Comment Period End	03/01/85	50 FR 3798
Final Action	08/30/85	50 FR 35210
Decision whether to proceed with rulemaking	04/15/88	

Small Entity: No

Additional Information: NOAA issued a final rule August 31, 1985 making the changes required by the Supreme Court Decision, and decided to undertake a comprehensive study of the Federal consistency process. The Draft Study issued April 1985 will assist NOAA in evaluating the need for and consequences of further revision of the Federal consistency regulations. Further revision has been deferred pending review of public comment on the April study, and amendments to the CZMA enacted in 1986, and the outcome of pending litigation.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: James P. Blizzard, Deputy Director, Office of Ocean and Coastal Resource Mgmt., Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, 202 673-5111

RIN: 0648-AA34

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Proposed Rule Stage

NATIONAL MARINE FISHERIES SERVICE

284. PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF & CERTAIN OTHER PROCESSED FOOD PRODUCTS: U.S. STANDARDS FOR GRADES OF FROZEN FISH BLOCKS & PRODUCTS MADE THEREFROM ETC

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 264A; 50 CFR 264B; 50 CFR 264C; 50 CFR 264D; 50 CFR 264E; 50 CFR 264F; 50 CFR 264G

Legal Deadline: None.

Abstract: The revised rule will expand the coverage of established voluntary standards for grades of fishery products to include new products made from fish blocks. The standards will take into account new technology and equipment. These standards will be used in a

voluntary program of fishery products inspection and certification by the NMFS. Industry has shown a high level of interest and support for the revisions. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

DOC-NOAA

Proposed Rule Stage

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, 202 673-5875

RIN: 0648-AA46

285. IMPLEMENTATION OF PL 59-659 AND OTHER RECOMMENDATIONS TO IMPROVE THE FISHERY MANAGEMENT SYSTEM

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 601

Legal Deadline: None.

Abstract: Revision of regulatory guidance with regard to the operations of the Regional Fishery Management Councils is being considered to conform with new legislation and administration regulatory policy. These guidelines will not have a direct regulatory impact on the fishing industry or entities participating in the industry.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Richard H. Schaefer, Acting Director, Office of Fisheries, Conservation and Management, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, 202 673-5263

RIN: 0648-AB09

286. DEVELOPMENT OF A FISHERY MANAGEMENT PLAN FOR SUMMER FLOUNDER

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 653, (Reserved)

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: Summer flounder is seasonably vulnerable to very large and varied commercial and recreational fisheries. Landings have declined in recent years and there is concern that overfishing may occur. The summer flounder crosses Council and Regional boundaries necessitating close coordination between the constituent agencies. The long-term benefits of higher production and revenue to the fishermen and processors are expected to outweigh any short-term limitations on catches in order to rebuild the stocks. Rebuilding the stocks to the maximum level, the efficiency of the fleet will improve as catches per unit of effort will correspondingly rise.

Timetable:

Action	Date	FR Cite
NPRM	03/03/88	
NPRM Comment Period End	05/15/88	
Final Action	07/31/88	
Final Action Effective	08/30/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St. FNER, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB30

287. ENDANGERED FISH OR WILDLIFE; PERMITS FOR THE INCIDENTAL TAKING OF ENDANGERED MARINE SPECIES

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 222

Legal Deadline: None.

Abstract: The proposed regulations implement Section 10(a)(1)(B) of the Endangered Species Act, as amended (ESA). The proposal provides, under limited circumstances, for issuance of permits allowing the incidental taking of endangered species. The proposal applies to certain Federal permit or license holders and to private entities or State or local governments whose actions are not otherwise subject to Federal involvement or control. Prior to the 1982 amendments to the ESA, the taking of endangered species was prohibited except for scientific research or to enhance the propagation or survival of the species. Permits issued under the proposed regulations would allow permit holders to conduct their activities without risk of prosecution for the incidental take of species authorized by such permits.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Additional Information: Potential cost to applicants is estimated at \$420. Cost per applicant is estimated at \$210. Each applicant will be required to submit a conservation plan as part of the permit process. NEPA, E.O. 12291 and RFA determinations have not been undertaken.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Agency Contact: Patricia A. Carter, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of

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Proposed Rule Stage

Protected Resources and Habitat Programs, NMFS, Washington, DC 20235, 202 673-5351

RIN: 0648-AB47

288. GROUND FISH OF THE GULF OF ALASKA AND HIGH SEAS SALMON FISHERY OFF ALASKA; REGULATORY AMENDMENT

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 672; 50 CFR 674; 50 CFR 611.92

Legal Deadline: None.

Abstract: As required under P.L. 98-623, NOAA issues a regulatory amendment to codify the fishery management boundaries of southeastern Alaska established by that law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment	07/00/88	
Period End		
Final Action	09/00/88	
Final Action	10/00/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Jonathan Pollard, Attorney-Advisor, Department of Commerce, National Oceanic and Atmospheric Administration, NOAA Office of General Counsel-GCAK, P.O. Box 21668, Juneau, AK 99801, 907 568-7414

RIN: 0648-AB51

289. AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR ATLANTIC SEA SCALLOPS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This amendment will revise the management program by modifying the meat count measure to include a provision for seasonal changes reflecting fluctuations in the size of scallops.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment	05/00/88	
Period End		
Final Action	06/00/88	
Final Action	07/00/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB83

290. RESUBMITTED PORTION OF AMENDMENT 1 TO THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The revised portion of the amendment will exempt Mid-Atlantic black sea bass fishing gear from the escape vent requirement in a specified fishing area east and south of Barnegat, New Jersey.

Timetable:

Action	Date	FR Cite
NPRM	04/14/88	
NPRM Comment	04/25/88	
Period End		
Final Action	06/14/88	
Final Action	07/14/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NER, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB89

291. AMENDMENT 1 TO THE SWORDFISH FMP

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 630

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: Amendment 1 will reflect concern for status of swordfish stocks based on recent stock assessments (Oct. 1987 and Jan. 1988). U.S. longline fishery now targets tunas and small swordfish in nearshore waters and seeks larger, more valuable swordfish in more distant waters. The Council will consider size limits, area closure, and quota management in Amendment 1 in an attempt to reduce the fishing mortality of small billfish in the exclusive economic zone.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment	01/00/89	
Period End		
Final Action	03/00/89	
Final Action	04/00/89	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AB92

292. SAFETY OF UNITED STATES OBSERVERS ABOARD FOREIGN FISHING VESSELS

Significance: Regulatory Program

Legal Authority: PL 99-659

CFR Citation: 50 CFR 611.8

Legal Deadline: None.

Abstract: United States observers are required aboard foreign vessels permitted to fish in the U.S. Exclusive Economic Zone (EEZ). Conditions aboard these vessels can be hazardous to the safety of observers. To prevent injury to observers, the Department of Commerce intends to publish minimum

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safety standards that must be maintained aboard foreign fishing vessels before they will be permitted to fish in the U.S. EEZ.

The alternative to establishing U.S. standards is to accept flag-state standards as adequate. This solution will probably not be feasible because there is a wide variation in foreign safety standards and differing degrees of compliance with standards. In some cases, foreign fishing vessels meeting existing flag-state standards would not be suitable for U.S. observers.

Costs of this action will be borne by the owners of foreign fishing vessels. This action is beneficial in that it may prevent serious injury, including death, to observers during the performance of their duty.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Agency Contact: Gary A. Wood, Special Agent, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, 202 673-5299

RIN: 0648-AB94

293. AMENDMENT 3 TO THE HIGH SEAS SALMON FISHERY OFF THE COAST OF ALASKA EAST OF 175 E. LONGITUDE

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 674

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: This Amendment will (1) update the scientific data and other information used as a basis for management actions, (2) enhance the framework aspect of annual and inseason rulemaking under the fishery management plan (FMP), and (3) ensure conformity of the FMP with the Pacific Salmon Treaty.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	11/00/88	

Action	Date	FR Cite
Final Action	01/00/89	
Final Action Effective	01/00/89	
Small Entity: Undetermined		
Affected Sectors: 091 Commercial Fishing		
Government Levels Affected: Federal		
Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221		
RIN: 0648-AC00		

294. AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH AND SEAMOUNT GROUND FISH FISHERIES OF THE WESTERN PACIFIC REGION

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 683

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The amendment will establish a limited access system in the bottomfish fisheries of the Western Pacific.

Timetable:

Action	Date	FR Cite
NPRM	11/01/88	
NPRM Comment Period End	12/15/88	
Final Action	02/20/89	
Final Action Effective	03/19/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SWR, 300 S. Ferry Street, Terminal Island, California 90731, 213 514-6600

RIN: 0648-AC10

295. AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR THE COASTAL MIGRATORY PELAGIC RESOURCES

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 642

Legal Deadline: Statutory. 110 days after submission of the Amendment by the Fishery Management Council.

Abstract: This amendment will revise the mackerel allocations between commercial and recreational fishermen.

Timetable:

Action	Date	FR Cite
NPRM	01/06/89	
NPRM Comment Period End	02/21/89	
Final Action	04/14/89	
Final Action Effective	05/13/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AC15

296. ● FISHERY MANAGEMENT PLAN FOR ATLANTIC BILLFISHES

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 644

Legal Deadline: Statutory. 110 days after the plan is submitted by the Fishery Management Council.

Abstract: The plan was prepared jointly by the South Atlantic, New England, Mid-Atlantic, Gulf and Caribbean Fishery Management Councils. It would establish a management regime for sailfin, white and blue marlin, and longbill spearfish in the Atlantic, Gulf, and Caribbean exclusive economic zone. The plan's objectives are to maintain the highest availability of billfishes to the recreational fishery, to optimize social and economic benefits by reserving

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billfish for its traditional use, and to improve the understanding of the condition of billfish stocks and the fishery. Proposed management measures include (1) prohibition on the sale of billfish caught from the management unit, (2) possession prohibition aboard pelagic longline and drift gill net vessels, (3) recreational minimum size limits, (4) mandatory tournament reporting, and (5) limited exemptions for a Puerto Rico handline fishery.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment	05/00/88	
Period End		
Final Action	06/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC24

297. ● PROPOSED RULE TO ESTABLISH PRODUCT SPECIFIC SEAFOOD MARKETING COUNCILS UNDER THE FISH AND SEAFOOD PROMOTION ACT OF 1986 (FSPA)

Significance: Regulatory Program

Legal Authority: 16 USC 4001 to 4017 Fish & Seafood Promotion Act of 1986 (FSPA)

CFR Citation: 50 CFR 7 (New)

Legal Deadline: None.

Abstract: The U.S. fishing industry has not exhibited significant economic growth in the past 5 years. Some segments of the industry have suffered because the catches have been flat despite increasing demand. This is mainly due to high value stocks being fully exploited while there is a lack of markets for low value species. Therefore, significant quantities of lower-valued fish have gone unharvested, have been allocated to foreign countries, or sold to foreign processing vessels in joint ventures. The seafood marketing councils, established by the FSPA, will be the focus of coordinated industry marketing activities to promote the full utilization

of all U.S. fisheries. This agency will oversee establishment and operations of these councils, enforcing provisions of the FSPA. Costs to the Federal Government have not been calculated but are expected to be minimal since the councils will be funded through assessments on industry participants represented on the councils. The long term potential benefit to the U.S. fishing industry may be substantial.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Internal	03/00/88	
DOC/NOAA Review ends		
NPRM Comment	05/00/88	
Period End		
Final Action	06/00/88	
Final Action	06/00/88	
Effective		

Small Entity: Undetermined

Additional Information: The proposed rule is being drafted in NOAA and will be available for internal review in January 1988. The anticipated date of publication in the Federal Register is March 1988. Since each council will be funded by segments of the industry represented on the council, with certain parameters regarding volume, income, etc., and each council determines these parameters, it is difficult to predict which segments of the industry may bear the economic burden--i.e., small businesses versus large businesses. These issues are being explored at this time.

We should be able to provide additional information when this information is updated.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Carmen J. Blondin, Director, Off. of Trade & Industry Services, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, 202 673-5260

RIN: 0648-AC27

298. ● REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 649

Legal Deadline: None.

Abstract: This action will require all escape vents in traps to be compatible with a minimum carapace length of 3 5/16 inches.

Timetable:

Action	Date	FR Cite
NPRM	07/12/88	
NPRM Comment	07/27/88	
Period End		
Final Action	12/01/88	
Final Action	12/31/88	
Effective		

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC28

299. ● AMENDMENT 2 TO THE SPINY LOBSTER FISHERY MANAGEMENT PLAN OF THE GULF OF MEXICO AND SOUTH ATLANTIC

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: This rule would propose a limited entry system for the fishery.

Timetable:

Action	Date	FR Cite
NPRM	12/16/88	
NPRM Comment	01/31/89	
Period End		
Final Action	03/24/89	
Final Action	04/24/89	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric

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Administration, 9450 Koger Blvd., St. Petersburg, FL 33708, 813 893-3141

RIN: 0648-AC29

300. ● FOREIGN FISHING POUNDAGE AND PERMIT FEES, 1989

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 611.22

Legal Deadline: Statutory. 110 days after submission from the Fishery Management Council.

Abstract: This rule will set poundage and permit fees for foreign fishing in 1989.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
NPRM Comment Period End	10/30/88	
Final Action	12/15/88	
Final Action Effective	01/01/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Alfred J. Bilik, Fishery Management Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, 202 673-5315

RIN: 0648-AC30

301. ● REGULATORY AMENDMENT TO REQUIRE REPORTING OF PACIFIC COAST GROUND FISH LANDING TO STATES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 663

Legal Deadline: None.

Abstract: The regulatory amendment would make it a Federal requirement that all landings of groundfish be reported to the appropriate states in compliance with state laws.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/15/88	
Final Action	07/01/88	

Action	Date	FR Cite
Final Action Effective	08/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Rolland A. Schmitt, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NWR, 7600 Sand Point Way NE, Bldg. 1, Seattle, WA 98115, 206 526-6150

RIN: 0648-AC31

302. ● AMENDMENT 12 TO THE FMP FOR GROUND FISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 675; 50 CFR 611

Legal Deadline: Statutory. 110 days after submission by the fishery Management Council.

Abstract: The amendment would provide for (1) increasing the maximum annual optimum yield for all species from 2 million mt. up to 2.4 million mt. to provide for greater economic benefits, (2) delaying the start of the joint venture fishery on post-spawning pollock from April 15 to June 15 to assure an improved quality product, (3) conserving crab and halibut taken as incidental catch in the groundfish fisheries, (4) determining the retainable incidental catch in multispecies longline fisheries, and (5) revising the weekly reporting requirement for catches transferred at sea to improve reporting times.

Timetable:

Action	Date	FR Cite
NPRM	10/17/88	
NPRM Comment Period End	11/30/88	
Final Action	01/11/89	
Final Action Effective	02/10/89	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and

Atmospheric Administration, P O Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AC32

303. ● AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN FOR THE PRECIOUS CORAL FISHERY OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 680

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: The amendment will include measures to encourage local fishermen to increase effort to harvest precious coral.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	05/16/88	
Final Action	07/06/88	
Final Action Effective	08/05/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 South Ferry Street, Terminal Island, CA 90731, 213 514-6660

RIN: 0648-AC33

304. ● FISHERY MANAGEMENT PLAN FOR KING AND TANNER CRAB IN THE BERING SEA AND ALEUTIAN ISLANDS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 671

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The FMP would govern fishing for king and tanner crab in the EEZ by minimum sizes, annual guideline harvest levels, definition of legal gear, restriction on harvest of female crabs, registration areas, and provision for inseason adjustments. The

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State of Alaska would adopt measures for reporting requirements, fishing seasons, gear placement, gear storage, gear restrictions, and vessel tank inspections. A person may appeal to the Secretary if he believes a State action does not comply with the FMP, the Magnuson Act, or other applicable law.

Timetable:

Action	Date	FR Cite
NPRM	05/12/88	
NPRM Comment Period End	06/26/88	
Final Action	08/31/88	
Final Action Effective	09/30/89	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AC34

305. ● AMENDMENT 2 TO THE RED DRUM FISHERY MANAGEMENT PLAN FOR THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 653

Legal Deadline: Statutory. 110 days after submission from the Fishery Management Council.

Abstract: This amendment will continue the closure of the primary management area in the Gulf of Mexico exclusive economic zone (EEZ) to the harvest of red drum. This action would follow an emergency rule which achieved the same fishery closure for 180 days under emergency authority. This action would reduce to zero previous commercial incidental and recreational catches totalling 625,000 pounds per year. The action is based upon new biological information indicating significant problems with the condition of the adult brood stock and recommendations of science advisors to take immediate protective measures for the brood stock and to increase the escapement of juveniles from the inshore areas to the offshore brood stock.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	05/30/88	
Final Action Effective	06/30/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC38

306. ● REPORTING REQUIREMENTS GOVERNING SALMON TAKEN OFF ALASKA AND DELIVERED OR LANDED OUTSIDE ALASKA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 674

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: A mandatory reporting requirement for fishing vessel operators who harvest salmon in the EEZ off Alaska and who sell, transport, or deliver salmon in the EEZ or to a U.S. port outside Alaska. The operator must submit a fish ticket to the Alaska Department of Fish and Game after each sale, transfer or delivery. Receipt of this ticket is necessary to obtain timely data on salmon catches.

Timetable:

Action	Date	FR Cite
NPRM	03/15/88	
NPRM Comment Period End	04/30/88	
Final Action	05/29/88	
Final Action Effective	06/29/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and

Atmospheric Administration, P O Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AC39

307. ● ATLANTIC TUNA FISHERIES - REGULATORY AMENDMENT

Legal Authority: 16 USC 971 et seq

CFR Citation: 50 CFR 285

Legal Deadline: None.

Abstract: Regulatory Amendment to clarify intent of existing regulation through international agreements that no directed fishing is allowed on Atlantic bluefin tuna in the Gulf of Mexico. The existing regulation has a category for incidental catch of bluefin in the domestic longline fishery for other species. The intent of the existing regulation is no fishing in the Gulf of Mexico for bluefin tuna under any other category of fishing. This amendment will clarify that point.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC40

308. ● REGULATORY AMENDMENT TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SWORDFISH FISHERY

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 630

Legal Deadline: None.

Abstract: This regulatory amendment will modify the present data collection system to require 100 percent mandatory dealer reporting of swordfish landing. This information is required to determine total fishery landings, fishing effort, and biological

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data (e.g., size of population, age, classes) for stocks assessment purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment	05/00/88	
Period End		
Final Action	06/00/88	
Final Action	07/00/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC41

309. ● AMENDMENT 17 TO THE FMP FOR GROUND FISH OF THE GULF OF ALASKA

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 672; 50 CFR 611

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The amendment would provide (1) a framework for comprehensive management of incidental catches, (2) a framework for setting fishing season on an annual basis, and (3) a minimum size limit on sablefish.

Timetable:

Action	Date	FR Cite
NPRM	11/01/88	
NPRM Comment	12/17/88	
Period End		
Final Action	02/20/89	
Final Action	03/22/89	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and

Atmospheric Administration, P O Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AC42

310. ● AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR ATLANTIC SEA SCALLOPS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the submission by the Fishery Management Council.

Abstract: This amendment will involve a major revision of the management plan with the purpose of replacing a management program based on a meat count standard measure with some other management approach of equal or greater effectiveness in meeting the plan's objectives.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment	08/00/88	
Period End		
Final Action	10/00/88	
Final Action	11/00/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC44

311. ● POLICY TO REQUIRE OBSERVERS TO BE CARRIED ON DOMESTIC FISHING VESSELS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 620

Legal Deadline: None.

Abstract: The policy would establish guidelines for the use of observers in the domestic fisheries managed under the Magnuson Act. The observers collect catch and effort data on fishing operations, and biological information

on fish stocks and the marine ecosystem.

Timetable:

Action	Date	FR Cite
NPRM	05/15/88	
NPRM Comment	06/30/88	
Period End		
Final Action	10/01/88	
Final Action	10/01/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Dr. Peter H. Fricke, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Fisheries Cons. and Mgt., 1825 Connecticut Ave., NW, Washington, DC 20235, 202 673-5263

RIN: 0648-AC45

312. ● REGULATORY AMENDMENT MODIFYING THE BOUNDARY OF THE TEXAS SEASONAL CLOSURE OF THE SHRIMP FISHERY OF THE GULF OF MEXICO FOR 1988

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 658

Legal Deadline: None.

Abstract: This action will change the seaward boundary of the 1988 Texas closure from 200 nautical miles off the Texas coast to 15 nautical miles. This modification will allow fishermen to harvest marketable-sized shrimp from the previously closed area, and will allow NMFS to collect current data on fishing effort and patterns to evaluate the impact of the seasonal closure.

Timetable:

Action	Date	FR Cite
NPRM	03/11/88	
NPRM Comment	04/10/88	
Period End		
Final Action	05/23/88	
Final Action	05/23/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region,

DOC-NOAA

Proposed Rule Stage

Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC46

313. ● REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE FISHERY MANAGEMENT PLAN FOR THE COASTAL MIGRATORY PELAGIC RESOURCES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 642

Legal Deadline: None.

Abstract: This amendment will ban drift gillnets in the king mackerel fishery.

Timetable:

Action	Date	FR Cite
NPRM	03/16/88	
NPRM Comment	04/15/88	
Period End		
Final Action	06/24/88	
Final Action	07/01/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AC47

314. ● REGULATORY AMENDMENT TO DESIGNATE SPECIAL FISHING AREAS IN THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 646

Legal Deadline: None.

Abstract: The regulatory amendment would establish two special management zones around artificial reefs that were requested by the Ft. Pierce Sport Fishing Club and approved by the South Atlantic Fishery Management Council. Within the fishery management plan for the

snapper-grouper fishery, use of fish traps, bottom longlines, hydraulic and electric reels unless mounted on a hand-held rod would be prohibited. In addition, spear fishing on the inshore site is prohibited and possession or harvest of jewfish would be prohibited.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment	04/01/88	
Period End		
Final Action	06/01/88	
Final Action	07/01/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3149

RIN: 0648-AC48

315. ● AMENDMENT 9 TO THE FISHERY MANAGEMENT PLAN FOR COMMERCIAL AND RECREATIONAL SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 661

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This Amendment will address: (1) allocation of chinook and coho salmon north of Cape Falcon between commercial and recreational fisheries, (2) the ocean escapement goal for Klamath River fall chinook, (3) allocation of chinook salmon between commercial and recreational fisheries between Cape Blanco, Oregon and Point Delgada, California, and (4) shoreside sorting of prohibited species caught in midwater trawls.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment	08/15/88	
Period End		
Final Action	10/20/88	

Action	Date	FR Cite
Final Action	11/20/88	
Effective		

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way, NE, Building 1, Seattle, Washington, 98115, 206 526-6150

RIN: 0648-AC49

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

316. PROPOSED REGULATIONS FOR THE KEY LARGO NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 929

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and to change research permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment	02/00/89	
Period End		
Final Action	06/00/89	
Final Action	07/00/89	
Effective		

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AA33

317. DRAFT REGULATIONS FOR THE PROPOSED FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

Legal Authority: *6 USC 1431 to 1434

CFR Citation: 15 CFR 943

DOC—NOAA

Proposed Rule Stage

Legal Deadline: None.

Abstract: These regulations will protect the ecological and biological reef communities of the East and West Flower Garden Banks offshore Texas and Louisiana, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	04/00/89	
Final Action Effective	06/00/89	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AB49

318. PROPOSED REGULATIONS FOR THE LOOE KEY NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 937

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and to change research permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AB64

319. PROPOSED REGULATIONS FOR THE NATIONAL ESTUARINE RESERVE RESEARCH PROGRAM

Legal Authority: 16 USC 1461

CFR Citation: 15 CFR 921

Legal Deadline: None.

Abstract: When the Coastal Zone Management Reauthorization Act of 1985 becomes effective, the existing regulations for the National Estuarine Sanctuary Program will need to be updated to reflect the changes that will occur in the program--(1) a stronger emphasis for conducting, promoting and coordinating research within the system; (2) changes the name of the program to "National Estuarine Reserve Research System"; (3) the amount of Federal financial assistance is increased to \$4,000,000 per site; and (4) submission of an annual report to Congress beginning with fiscal year 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AB68

320. RULEMAKING TO IMPLEMENT 1985 REAUTHORIZATION OF THE COASTAL ZONE MANAGEMENT ACT (CZMA)

Legal Authority: 16 USC 1456; PL 99-272, Subtitle D

CFR Citation: 15 CFR 923

Legal Deadline: None.

Abstract: PL 99-272, the Coastal Zone Management Reauthorization Act of 1985, amended Sec 306(g) of the Coastal Zone Management Act (16 USC 1456) dealing with submission and approval of changes to federally-approved state coastal zone management programs. NOAA/OCRM intends to issue regulations to implement these provisions and to correct problems NOAA/OCRM and the states have

experienced in processing program change requests.

Timetable:

Action	Date	FR Cite
Issue paper distributed	09/12/86	
NPRM	03/21/88	
NPRM Comment Period End	04/22/88	
Final Action	10/02/88	
Final Action Effective	12/02/88	

Small Entity: No

Public Compliance Cost: Initial Cost: \$0; Yearly Recurring Cost: \$0

Affected Sectors: None

Government Levels Affected: State

Agency Contact: Mark Stanga, Associate Director, OCRM, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Room 701, Washington, DC 20235, 202 673-5100

RIN: 0648-AC02

321. PROPOSED REGULATIONS FOR THE CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1439

CFR Citation: 15 CFR 935

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and permit requirements.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AC03

322. PROPOSED REGULATIONS FOR THE POINT REYES-FARALLON ISLANDS NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1439

CFR Citation: 15 CFR 936

Legal Deadline: None.

DOC—NOAA

Proposed Rule Stage

Abstract: These regulations are being revised to update enforcement provisions and permit requirements.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine

Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AC05

DEPARTMENT OF COMMERCE (DOC)

Final Rule Stage

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES SERVICE

323. FISHERY CONSERVATION AND MANAGEMENT: CONFIDENTIALITY OF STATISTICS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 603

Legal Deadline: None.

Abstract: The regulations provide internal procedures to protect statistics collected from the public under the Magnuson Fishery Conservation and Management Act from disclosure.

Timetable:

Action	Date	FR Cite
NPRM	01/09/78	43 FR 1460
Interim Final Rule	12/07/79	44 FR 237
Interim Final Rule	07/16/87	52 FR 26685
Final Action	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The Regulatory Flexibility Act does not apply because the regulations affect only internal operations of an agency.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Mark Holliday, Acting Chief, Fisheries Statistics Division, Department of Commerce, National Oceanic and Atmospheric Administration, Off. of Research and Environmental Informat., NMFS, Washington, DC 20235, 202 673-5335

RIN: 0648-AA38

324. U.S. GENERAL STANDARDS FOR GRADES OF SHRIMP

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 265A

Legal Deadline: None.

Abstract: The final rule will establish general quality grading standards for all non-breaded forms of fresh or frozen shrimp. These grading standards will provide for the systematic differentiation of the quality of shrimp into four categories -- U.S. Grades A, B, C and Substandard. The proposed standards will be applied to all commercial species of fresh or frozen shrimp in raw or cooked states in all non-breaded market forms. The adoption of grading standards is expected to facilitate trade in shrimp of all commercial species, as consumers will be able to select shrimp on the basis of identified quality. Industry has shown great interest in and support for the standards. Timetable for next action is very tentative. Public comments received indicate a need for further research before the rule is published.

Timetable:

Action	Date	FR Cite
NPRM	05/20/82	47 FR 21840
NPRM Comment Period End	08/18/82	47 FR 21840
Interim Final Rule	12/30/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, 202 673-5875

RIN: 0648-AA47

325. FOREIGN FISHING - SCIENTIFIC RESEARCH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.14

Legal Deadline: None.

Abstract: The action would revise the scientific research provisions of the foreign fishing regulations. The action is necessary to bring the regulations into compliance with current policy on scientific research and clarify what foreign vessels may be considered scientific research vessels while conducting activities which might otherwise be considered fishing.

Timetable:

Action	Date	FR Cite
NPRM	05/01/84	49 FR 50498
NPRM Comment Period End	06/14/84	49 FR 50498
Final Action	08/02/88	
Final Action Effective	09/01/88	

Small Entity: No

Additional Information: This action is related to RIN 0648-AA40 General and Recreational Foreign Fishing.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Alfred J. Bilik, Fishery Management Officer, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine

DOC—NOAA

Final Rule Stage

Fisheries Service, 1825 Connecticut Avenue, NW, Washington, DC 20235, 202 673-5319

RIN: 0648-AB23

326. REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; IMPORTATION OF YELLOWFIN TUNA

Significance: Regulatory Program

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Legal Deadline: None.

Abstract: U.S. tuna purse seine fishermen operating in the eastern tropical Pacific have been subject to certain restrictions relating to the take of marine mammals, whereas other nations fishing in a similar manner that export tuna to the U.S. often do not impose similar constraints on their own industry. Therefore, the Marine Mammal Protection Act of 1972 was amended to require all such nations, prior to being allowed to import tuna, to provide documentary evidence that they have adopted a program governing the incidental taking of marine mammals that is comparable to that of the U.S. and that the average rate of incidental take in the fishery is comparable to the U.S. These regulations will implement this requirement.

Timetable:

Action	Date	FR Cite
ANPRM	11/29/84	49 FR 46921
NPRM	08/13/86	51 FR 28963
NPRM Comment Period End	11/14/86	51 FR 36568
Interim Final Rule	03/00/88	
Final Action	04/00/88	
Final Action Effective	04/00/88	
Begin Review	09/00/88	
End Review	01/00/89	

Small Entity: No

Additional Information: This action will require restrictions on foreign nations that export tuna to the U.S. similar to those imposed on U.S. tuna fishermen. These regulations will have no impact domestically in terms of bringing more U.S. nationals under Federal regulations.

Public Compliance Cost: Initial Cost: \$9,825; Yearly Recurring Cost: \$9,825; Base Year for Dollar Estimates: 1985

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Kenneth R. Hollingshead, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources & Habitat, Programs, NMFS, Washington, DC 20235, 202 673-5351

RIN: 0648-AB46

327. ENDANGERED FISH AND WILDLIFE; APPROACHING HUMPBACK WHALES IN HAWAIIAN WATERS

Legal Authority: 16 USC 1382(a); 16 USC 1540(f)

CFR Citation: 50 CFR 222.31

Legal Deadline: None.

Abstract: This rule will establish as regulation a previously published Notice of Interpretation regarding minimum distances that should be maintained in the presence of humpback whales in Hawaii. Establishing a 100 yard perimeter around any of the whales while in the Hawaiian Exclusive Zone as a regulation is considered necessary given a large increase in vessel traffic and other water use activities in areas where this species historically occurs. In response to comments received in the public record, NOAA is defining two specific sites as cow/calf areas in which an approach closer than 300 yds is prohibited. This addition creates a new subsection to the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/24/86	51 FR 42271
NPRM Comment Period End	12/24/86	51 FR 42271
Interim Final Rule	11/23/87	52 FR 44912
Final Action	04/01/88	
Final Action Effective	05/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 South Ferry Street, Terminal Island, CA 90731, 213 514-6201

RIN: 0648-AB79

328. GROUND FISH OF THE GULF OF ALASKA - AMENDMENT 16 AND GROUND FISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREA - AMENDMENT 11A

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 672; 50 CFR 675

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The regulation addresses the revision of the definition of "prohibited species" and requires catcher/processor vessels operating in the Gulf of Alaska or the Bering Sea and Aleutian Islands area to keep records on groundfish production and transfers of groundfish products.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48303
NPRM Comment Period End	01/30/88	
Final Action	03/07/88	
Final Action Effective	04/06/88	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB98

329. U.S. STANDARDS FOR GRADES OF FISH FILLETS

Significance: Agency Priority

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 263A; 50 CFR 263B; 50 CFR 263C; 50 CFR 263D; 50 CFR 263E

Legal Deadline: None.

DOC-NOAA

Final Rule Stage

Abstract: This revised rule will expand the coverage of established voluntary standards for grades of fish fillets to include a new market form or style of fillet whereby the pin-bones, the bones radiating laterally from the spinal column, are not removed. This style of fillet has become more familiar in the marketplace, resulting in the industry requesting the amendment. Responses to a previous request for comments indicate a national interest in this style of presentation. The amendment will allow this market form, bearing FDA's recommended labeling, to be inspected and reflect the U.S. Grade A mark.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/30/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, 202 673-5875

RIN: 0648-AC12

330. AMENDMENT TO REGULATION PROVIDING FOR ALLOCATION OF PACIFIC HALIBUT AMONG DOMESTIC FISHERMEN

Legal Authority: North Pacific Halibut Act of 1982

CFR Citation: 50 CFR 301

Legal Deadline: None.

Abstract: The amendment addresses the allocation among domestic fishermen of the U.S. quota of Pacific halibut as determined by the International Pacific Halibut Commission.

Timetable:

Action	Date	FR Cite
Final Action	04/29/88	
Final Action Effective	04/29/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of

Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, PO Box 1668, Juneau, AK 99802, 907 568-7221

RIN: 0648-AC20

331. ● IMPLEMENTATION OF CONDITIONALLY APPROVED MEASURES UNDER AMENDMENT 1 TO THE SPINY AND SLIPPER LOBSTER FMP IN THE GULF OF MEXICO AND SOUTH ATLANTIC - PERMITS AND BAG LIMITS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: None.

Abstract: This rule will require commercial and tail separation permits and establish a recreational bag limit during the regular season.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8485
NPRM Comment Period End	04/18/87	52 FR 8485
Final Action	03/30/88	
Final Action Effective	04/29/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC25

332. ● REGULATORY AMENDMENT TO PROHIBIT LANDINGS OF UNDERSIZE RED SNAPPER IN THE REEF FISH FISHERY OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 641

Legal Deadline: None.

Abstract: The regulatory amendment would close a loophole that fishermen are using to land undersize red snapper in the Gulf of Mexico reef fish fishery. Currently, persons lawfully fishing with trawls from domestic vessels are exempt from the minimum

size limit for red snapper. The regulatory amendment would only allow retention of trawl-caught red snapper if fishing for species other than red snapper, provided the total weight of red snapper does not exceed five percent of all other species aboard.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Final Action	04/15/88	
Final Action Effective	05/16/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC36

333. ● IMPLEMENTATION OF CONDITIONALLY APPROVED MEASURES UNDER AMENDMENT TO THE SPINY AND SLIPPER LOBSTER FMP IN THE GULF OF MEXICO AND SOUTH ATLANTIC - TRAP REMOVAL

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: None.

Abstract: This rule will (1) change the two-day recreational season to the first full weekend preceding August 1, and the opening date of the regular season to August 6, (2) establish a daily bag of six lobsters per person during the special two-day recreational season, and (3) provide for a 10-day extension of the April 1-5 trap removal period for individuals with a documented hardship or emergency.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8485
NPRM Comment Period End	04/18/87	52 FR 8485
Final Action	04/00/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

DOC—NOAA

Final Rule Stage

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC37

334. ● INTERJURISDICTIONAL FISHERIES

Legal Authority: 16 USC 4100 et seq; PL 99-659, Title III, Interjurisdictional Fisheries Act of 1986

CFR Citation: 50 CFR 253

Legal Deadline: None.

Abstract: Provides State agencies guidance in receiving grants under the interjurisdictional Act of 1986. The Act allows the Secretary of Commerce to distribute funds to the States to conduct projects on interjurisdictional species and to enter into agreements with the states for enforcement of state and federal fishery regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/23/87	52 FR 44922
NPRM Comment Period End	12/23/87	52 FR 44922
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Austin R. Magill, Acting Chief, Division of Recreational and Interjurisdictional Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, 202 673-5272

RIN: 0648-AC52

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

335. PROPOSED REGULATIONS FOR THE NATIONAL MARINE SANCTUARY PROGRAM

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 922

Legal Deadline: None.

Abstract: As a result of the Marine Protection, Research and Sanctuaries Act reauthorization signed by the President on October 19, 1984, the regulations are being revised to incorporate modifications from the new legislation regarding the sanctuary designation process and site selection criteria.

Timetable:

Action	Date	FR Cite
NPRM	06/12/86	51 FR 21369
Final Action	04/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AA31

336. DRAFT REGULATIONS FOR THE PROPOSED CORDELL BANK NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 942

Legal Deadline: None.

Abstract: These regulations will protect the ecological, recreational, and esthetic resources of the waters surrounding Cordell Bank, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, 202 673-5126

RIN: 0648-AB50

NATIONAL OCEAN SURVEY/OFFICE OF MINERAL ENERGY

337. DEEP SEABED MINING REGULATIONS FOR COMMERCIAL RECOVERY

Significance: Regulatory Program

Legal Authority: 30 USC 1401 et seq Deep Seabed Hard Mineral Resources Act

CFR Citation: 15 CFR 970, (Exploration Regulations); 15 CFR 971

Legal Deadline: None.

Abstract: Under 15 CFR 970, prospective deep seabed miners may apply to NOAA for the exploration license needed to explore the deep seabed for manganese nodules. Under the new regulations (15 CFR 971), prospective miners will be able to apply to NOAA for a permit to commercially recover and process nodules to obtain strategic metals (nickel, copper, cobalt, manganese). These permits would provide security of tenure for applicants with respect to other U.S. citizens and other nations' permittees in accordance with applicable international agreements. Fees for securing and maintaining a permit will be based on the Government's processing costs. These fees would be an inconsequential portion of the cost of a commercial recovery operation. The cost of a commercial recovery operation is expected to exceed one billion dollars. Alternatives to the regulation would require amending the Deep Seabed Hard Mineral Resources Act, which would be considered in the context of the U.S. law of the sea policy.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/82	47 FR 57903
NPRM	07/25/86	51 FR 26794
Public Hearings, 08/26/86, 09/11/86	09/09/86	51 FR 26794
NPRM Comment Period End	11/24/86	
NPRM	09/14/87	52 FR 34748
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: A preliminary RIA & RFA have been prepared for the commercial regulations to cover new issues raised by the commercial recovery permit regulations. It is expected that small entities will not be permittees. Rather some small entities are expected to be contractors or subcontractors to permittees. The

DOC—NOAA

Final Rule Stage

preliminary RIA and RFA are available as is the programmatic environmental impact statement and the supplemental environmental assessment. After considering public comments on the proposed major rule, NOAA determined that certain issues were significantly different than the proposed rules. These limited issues are being repropounded for further public comment prior to NOAA's issuing the final regulations.

Affected Sectors: 102 Copper Ores; 106 Ferroalloy Ores, Except Vanadium; 108 Metal Mining Services; 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills; 333 Primary Smelting and Refining of Nonferrous Metals; 951 Administration of Environmental Quality Programs

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis; See Additional Information

Agency Contact: James P. Lawless, Chief, Oceans Minerals and Energy Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean Minerals and Energy, 1825 Connecticut Ave., NW, Suite 710, Washington, DC 20235, 202 673-5121

RIN: 0648-AA36

DEPARTMENT OF COMMERCE (DOC)

Completed Actions

National Oceanic and Atmospheric Administration (NOAA)

338. MARKING REQUIREMENTS FOR THE IMPORTATION, EXPORTATION, & INTERSTATE TRANSPORTATION OF FISH OR WILDLIFE

Significance: Regulatory Program

Legal Authority: 16 USC 3371 to 3375 Lacey Act Amendments of 1981

CFR Citation: 50 CFR 14.81 to 14.83; 50 CFR 246.1 to 246.3

Legal Deadline: None.

Abstract: These regulations will enable NOAA to monitor interstate and foreign commerce in fish and fishery products, for the purpose of detecting violations of Federal, state and foreign laws. The regulations will conform to current industry practices.

Timetable:

Action	Date	FR Cite
NPRM	07/07/86	51 FR 24559
NPRM Comment Period End	09/05/86	
Final Action	11/27/87	52 FR 45339
Final Action Effective	12/28/87	52 FR 45339

Small Entity: No

Additional Information: The regulations will be issued jointly with the Department of the Interior. Neither an RIA nor an RFA is required.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Steven C. Springer, Special Agent In Charge, Department of Commerce, National Oceanic and Atmospheric Administration,

Enforcement Div., NMFS, Washington, DC 20235, 202 673-5299

RIN: 0648-AA53

339. U.S. STANDARDS FOR GRADES OF FRESH OR FROZEN NORTH AMERICAN FRESHWATER CATFISH AND PRODUCTS MADE THEREFROM

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 267, (New)

Legal Deadline: None.

Abstract: This final standard will establish a voluntary standards system to identify various products made from North American Freshwater Catfish and to grade these products A, B, C and Substandard. The objective of the standard is to facilitate trade in these products thereby benefiting the consumer. The standard will be used by NMFS in the voluntary program of fishery products inspection and certification. Industry has expressed strong support for these voluntary standards.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27514
Final Action	10/05/87	52 FR 37155
Final Action Effective	11/04/87	52 FR 37155

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 027 Animal Specialties; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, 202 673-5875

RIN: 0648-AA73

340. AMENDMENT NO. 5 TO THE FISHERY MANAGEMENT PLAN FOR THE SPINY LOBSTER FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 681

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This Amendment will (1) incorporate management measures for Slipper Lobster, (2) require the use of escape vents in Lobster pots, (3) require release of egg-bearing females, (4) revise the daily catch report, (5) revise the permit application form, (6) eliminate the annual processor report, (7) revise the trip processing report, and (8) change the name to the crustacean FMP.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28028
NPRM Comment Period End	09/04/87	
Final Action	12/15/87	52 FR 47572
Final Action Effective	01/11/88	52 FR 47572

Small Entity: No

Affected Sectors: 091 Commercial Fishing

DOC—NOAA

Completed Actions

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 S. Ferry Street, Terminal Island, CA 90731, 213 514-6196

RIN: 0648-AB81

341. AMENDMENT 1 TO THE RED DRUM FISHERY MANAGEMENT PLAN FOR THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 604; 50 CFR 653

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The Amendment (1) divides the Gulf of Mexico EEZ into primary (waters off Louisiana, Mississippi, and Alabama) and secondary (waters off Texas and Florida) management areas; (2) prohibits the harvest or possession of red drum from the secondary areas; and (3) establishes an annual total allowable catch (TAC) in the primary area. Under the TAC, the annual quota for directed commercial fishing is zero, while incidental catch quotas are established for the shrimp and other commercial fisheries. Also, a recreational catch quota is established with an associated daily bag limit. The intended effect of the management program is to protect and rebuild the red drum resource throughout its range through cooperative State/Federal management.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22822
NPRM Comment Period End	07/23/87	
Final Action	09/16/87	52 FR 34918
Final Action Effective	10/16/87	52 FR 34918

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AB91

342. GROUND FISH OF THE BERING SEA AND ALEUTIAN ISLANDS - AMENDMENT 11

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 675

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The regulation will address the revision of the definition of "prohibited species and acceptable biological catch" and seasonal apportionment of the harvest of pollock by the joint venture fleet.

Timetable:

Action	Date	FR Cite
NPRM	09/01/87	52 FR 32942
NPRM Comment Period End	10/15/87	
Final Action	12/03/87	52 FR 45966
Final Action Effective	01/04/88	52 FR 45966

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 1668 F/AKR, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB96

343. AMENDMENT 2 TO THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: Amendment 2 will increase the minimum carapace length for lobsters, prohibit the possession of V-notched female American lobsters, and establish a uniform national standard prohibiting the possession of undersized V-notched female or egg-bearing lobsters within the U.S. that are caught under the authority of the Magnuson Act.

Timetable:

Action	Date	FR Cite
NPRM	08/03/87	52 FR 28732
NPRM Comment Period End	09/10/87	
Final Action Effective	11/30/87	52 FR 46088
Final Action	12/04/87	52 FR 46088

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB97

344. AMENDMENT 8 TO THE FISHERY MANAGEMENT PLAN FOR COMMERCIAL AND RECREATIONAL SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 661

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: This Amendment is expected to address a variety of subjects including: (1) inclusion of habitat considerations; and (2) inclusion of vessel safety consideration.

Timetable:

Action	Date	FR Cite
Withdrawn -no regulatory changes are proposed as a result of this amendment	02/26/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 98115, 206 526-6150

RIN: 0648-AB99

DOC—NOAA

Completed Actions

345. FOREIGN FISHING POUNDAGE AND PERMIT FEES, 1988

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 611.22

Legal Deadline: Statutory, January 1, 1988.

Abstract: This rule will set poundage and permit fees for foreign fishing in 1988.

Timetable:

Action	Date	FR Cite
NPRM	11/04/87	52 FR 42408
NPRM Comment Period End	12/04/87	52 FR 42408
Final Action Effective	01/01/88	
Final Action	01/05/88	53 FR 134

Small Entity: No

Additional Information: An RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Alfred J. Bilik, Fishery Management Officer, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, 202 673-5315

RIN: 0648-AC01

346. AMENDMENT 1 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 651

Legal Deadline: Statutory, 110 days after the plan is submitted by the fishery management council.

Abstract: Amendment 1 will provide additional protection to groundfish resources in the North Atlantic beyond that provided by the FMP. Proposed management measures include increased minimum fish size, expanded minimum mesh requirements, and changes in restricted fishery areas. The amendment is aimed at reducing fishing pressure on ten valuable fish species and rebuilding their stocks (cod, haddock, yellowtail, winter windowpane, witch flounder, pollock, redfish or ocean perch, American plaice, and white bake).

Timetable:

Action	Date	FR Cite
ANPRM	05/27/87	52 FR 20124
NPRM	06/17/87	52 FR 23570
NPRM Comment Period End	07/31/87	52 FR 23570
Final Action	09/14/87	52 FR 35093
Final Action Effective	10/01/87	52 FR 35093

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 06/23/87 (52 FR 23570)

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, FNER - NMFS, State Fish Pier, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC04

347. PERFORMANCE STANDARDS FOR TUNA SKIPPERS

Legal Authority: 16 USC 1361 to 1407 Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Legal Deadline: None.

Abstract: During 1986 the overall annual quota for allowable incidental mortality of porpoise in the eastern tropical Pacific was reached in October and the U.S. tuna purse seine fleet was prohibited from fishing for tuna associated with porpoise. Industry representatives asserted that the quota was reached because a small fraction of vessel operators had exceptionally high kills. The industry representatives requested NMFS to develop sanctions to use against the certificates held by the offending operators to prevent their actions from penalizing the entire industry.

The NMFS does not now have porpoise mortality standards to serve as the basis for any permit action. The purpose of the proposed rule will be to establish appropriate standards which will improve the U.S. fleet's overall porpoise safety performance and identify individual poor performers for remedial action or, if necessary, elimination from the fishery.

Timetable:

Action	Date	FR Cite
Withdrawn	02/26/88	
Withdrawn from active consideration at request of tuna industry.		

Small Entity: Undetermined

Agency Contact: Kenneth R. Hollingshead, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources and, Habitat Programs, NMFS, Washington, DC 20235, 202 673-5350

RIN: 0648-AC07

348. AMENDMENT 1 FOR THE FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH AND SEAMOUNT GROUND FISH FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 683

Legal Deadline: Statutory, 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: This allows the Council to consider limited entry for bottomfish in the U.S. EEZ surrounding American Samoa and Guam within the "framework" approach of the FMP and extend the due date of the Annual Report for the bottomfish Fisheries of the Western Pacific Region from March 31 to June 30 of each year.

Timetable:

Action	Date	FR Cite
NPRM	07/24/87	52 FR 27838
NPRM Comment Period End	09/02/87	
Final Action	10/14/87	52 FR 38102
Final Action Effective	11/11/87	52 FR 38102

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SWR,

DOC—NOAA

Completed Actions

300 S. Ferry Street, Terminal Island,
California 90731, 213 514-6660

RIN: 0648-AC11

349. AMENDMENT TO THE REGULATIONS IMPLEMENTING THE ATLANTIC SEA SCALLOP FMP - REVISE THE EXPIRATION DATE OF FISHING PERMITS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The rule will require permits, which currently remain in effect until the owner or name of a vessel changes, to be renewed annually. The intended effect is to provide consistency with annual permitting procedures recently adopted by the NMFS Northeast region.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25041
NPRM Comment Period End	08/03/87	
Final Action	12/08/87	52 FR 46485
Final Action Effective	12/31/87	52 FR 46485

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC13

350. AMENDMENT TO REGULATIONS FOR GROUND FISH OF THE GULF OF ALASKA, BERING SEA AND ALEUTIAN ISLANDS AREA - REPORTING REQUIREMENTS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 672; 50 CFR 675

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: The amendment addresses the improvement of reporting of commercial groundfish harvests off

Alaska by requiring that domestic fishermen comply with existing State of Alaska reporting on state fish tickets.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22829
NPRM Comment Period End	07/15/87	
Final Action	12/29/87	52 FR 49021
Final Action Effective	01/28/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, FAKR, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AC14

351. AMENDMENT 4 TO THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 658

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The amendment will simplify the annual review process for the Tortugas Sanctuary, extend the Council/Regional Director closure review to February 1, set minimum size limit of 100 whole shrimp per pound for white shrimp, and expand the sea turtle education and headstart program.

Timetable:

Action	Date	FR Cite
Withdrawn	01/06/88	53 FR 00266

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER,

9450 Koger Boulevard, St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AC17

352. AMENDMENT 3 TO THE PACIFIC COAST GROUND FISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 663

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Pacific Fishery Management Council.

Abstract: Amendment 3 incorporates habitat considerations into the FMP by adding descriptive information and establishing policy. It also would establish formal procedures for temporary adjustments regarding vessel access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safety of vessels.

Timetable:

Action	Date	FR Cite
Withdrawn -no regulatory changes are proposed as a result of this amendment	02/26/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitt, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, F/NWR, 7600 Sand Point Way, Seattle, WA 98115, 206 526-6150

RIN: 0648-AC18

353. REGULATORY AMENDMENT TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SWORDFISH FISHERY - EXTENSION OF THE PLAN

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 630

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council

DOC—NOAA

Completed Actions

Abstract: The rule implementing the Plan has an expiration date of December 31, 1987. Data collection (logbooks) was approved through October 31, 1987. The South Atlantic Council is submitting a regulatory amendment to extend the Plan and data collection. Vital data on the swordfish fishery is still needed for the stock assessment and management decisions.

Timetable:

Action	Date	FR Cite
Final Action	09/30/87	52 FR 36578
Final Action Effective	09/30/87	52 FR 36578

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AC21

354. REGULATORY AMENDMENT TO THE FMP FOR GROUND FISH OF THE GULF OF ALASKA GROUND FISH, OTHER THAN SABLEFISH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 672

Legal Deadline: None.

Abstract: Current regulations restrict the use of pot gear for fishing for all species of groundfish. The action would relieve a burdensome restriction by allowing pot gear to be used for groundfish, other than sablefish, a species allocated to hook-and-line and trawl fishermen in the Gulf of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 00627
NPRM Comment Period End	01/26/88	53 FR 00627
Final Action Effective	02/26/88	
Final Action	03/02/88	53 FR 6649

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, F/AKR, Juneau, Alaska 99802, 907 586-7221

RIN: 0648-AC35

355. REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: This action revises (1) the expiration date of fishing permits and (2) numbering system used to identify lobster gear. The intended effects are to provide consistency with annual permitting procedures recently adopted in the Northeast Region, and to relieve Federal Fishery Permit holders from the burden of renumbering lobster gear when their Federal Fishery Permit Number changes.

Timetable:

Action	Date	FR Cite
NPRM	07/22/87	52 FR 27564
NPRM Comment Period End	08/06/87	52 FR 27564
Final Action	12/04/87	52 FR 46088
Final Action Effective	12/31/87	52 FR 46088

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NER, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AC09

DEPARTMENT OF COMMERCE (DOC)

Completed Actions

National Telecommunications and Information Administration (NTIA)

356. PUBLIC TELECOMMUNICATIONS FACILITIES PROGRAM: REPORT AND ORDER (FINAL RULES), FUNDING PRIORITIES AND POLICY STATEMENT

Legal Authority: 47 USC 390 to 394; 47 USC 397 to 399b

CFR Citation: 15 CFR 2301

Legal Deadline: None.

Abstract: NTIA has administered the Public Telecommunications Facilities Program (PTFP) for two years under an interim revision of rules. These final rules are designed to reduce applicant burdens and simplify applications requirements. Deletions from prior rules include: local public notice and submission of site leases with initial

applications. Grant recipients within the past ten years need not submit full eligibility documentation. Equipment inventories need only include the type(s) of equipment requested. NTIA seeks information on applicants' non-Federal financial support and capital replacement policies, and encourages applicants with the ability to increase their share of project costs. NTIA states its policy to prefer applicants requesting 50% or less PTFP funding for broadcast equipment replacements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/18/84	49 FR 36600

Action	Date	FR Cite
NPRM	12/04/86	51 FR 43804
NPRM Comment Period End	01/05/87	
Final Action	08/20/87	52 FR 31496
Final Action Effective	10/01/87	52 FR 31496

Small Entity: Undetermined

Government Levels Affected: Local, State

Agency Contact: John P. Fernandez, Attorney-Adviser, Department of Commerce, National Telecommunications and Information Administration, 14th & Constitution

DOC—NTIA

Completed Actions

Avenue NW, Suite 4717, Washington,
DC 20230, 202 377-1816

RIN: 0660-AA01

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

Office of Productivity, Technology and Innovation (OPTI)

357. ADMINISTRATION OF A UNIFORM PATENT POLICY WITH RESPECT TO DOMESTIC RIGHTS IN INVENTIONS MADE BY GOVERNMENT EMPLOYEES

Significance: Agency Priority

Legal Authority: EO 10096; EO 10930; 35
USC 207 to 208; 15 USC 3701 et seq

CFR Citation: 37 CFR 100

Legal Deadline: None.

Abstract: PL 99-502 amended the
Stevenson-Wylder Innovation Act of
1980 by establishing a number of
procedures to encourage the
development of technologies by
laboratories owned or operated by the
Federal government, to facilitate the
transfer of such technologies to the

public, and to promote cooperation
between these laboratories and the
private sector.

Executive Order 10096 would be
amended with regard to the
government's rights to ownership of
inventions created in laboratories
owned or operated by the Federal
government. A revised version of the
executive order might be prepared and
regulations would be developed to
implement the amendments effected by
P.L. 99-502.

This action will not increase Federal
costs. In the short run it will encourage
private sector collaboration to assist
work done in Federal laboratories by
appropriated funds, and in the long run
increased commercialization of patents

and inventions will increase tax
revenues.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Yes

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Joseph P. Allen,
Acting Director, Federal Technology,
Management Policy Division,
Department of Commerce, Office of
Productivity, Technology and
Innovation, Room H 4837, Washington,
DC 20230, 202 377-0659

RIN: 0692-AA05

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Office of Productivity, Technology and Innovation (OPTI)

358. LICENSING OF GOVERNMENT- OWNED INVENTIONS

Legal Authority: 35 USC 208

CFR Citation: 37 CFR 404

Legal Deadline: None.

Abstract: This action will revise 37 CFR
404 to simplify the process by which US
industry can obtain license to patented
inventions owned by the Government.
P.L. 99-502 is expected to increase
industry interest in licensing inventions
from Federal laboratories. The existing

regulation was written by GSA on the
basis of 1980 legislation. It may be
possible to remove some of the
difficulties that potential licensees must
overcome.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: No

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: Joseph P. Allen,
Acting Director, Federal Technology,
Management Policy Division,
Department of Commerce, Office of
Productivity, Technology and
Innovation, Room H4837, Washington,
DC 20230, 202 377-0659

RIN: 0692-AA04

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Patent and Trademark Office (PTO)

359. REQUESTS FOR IDENTIFIABLE RECORDS

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.15

Legal Deadline: None.

Abstract: The existing regulations
govern requests for records not
disclosed to the public as part of PTO's

informational activities. The regulations
need to be revised to eliminate obsolete
provisions.

Timetable:

Action	Date	FR Cite
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NPRM 04/00/88

NPRM Comment 07/00/88

Period End

Small Entity: No

Additional Information: Neither an RIA
nor an RFA is required or will be
prepared.

Affected Sectors: Multiple

Government Levels Affected: Local,
State, Federal

Analysis: See Additional Information

DOC—PTO

Proposed Rule Stage

Agency Contact: John W. Dewhirst, Department of Commerce, Patent and Trademark Office, Ofc. of the Solicitor, Washington, DC 20231, 703 557-4035

RIN: 0651-AA04

360. DEPOSIT OF BIOLOGICAL MATERIALS FOR PATENT PURPOSES

Significance: Regulatory Program

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.71

Legal Deadline: None.

Abstract: PTO will propose amendment of its rules of practice in patent cases to govern the deposit of biological materials for patent purposes.

Timetable:

Action	Date	FR Cite
ANPRM	09/09/87	52 FR 34080
ANPRM	11/30/87	
Comment Period End		
NPRM	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3065

RIN: 0651-AA13

361. TRADEMARK APPLICATIONS PURSUANT TO 15 U.S.C. 1126

Significance: Regulatory Program

Legal Authority: 15 USC 1123; Crocker National Bank v. Canadian Imperial Bank of Commerce; 223 USPQ 909 (TTAB 1984); In re International Barrier Corp., 231 USPQ 310 (TTAB 1986); In re ETA Systems, Inc., 2 USPQ 2d 1367 (TTAB 1987)

CFR Citation: 37 CFR 2.21; 37 CFR 2.33; 37 CFR 2.39; 37 CFR 2.56; 37 CFR 2.57; 37 CFR 2.58

Legal Deadline: None.

Abstract: PTO plans to propose amendment of its rules of practice in trademark cases to revise the use and specimen requirements in trademark applications filed pursuant to Section 44 of the Trademark Act, 15 USC 1126. The

revision would conform the use and specimen requirements with the decisions of the Trademark Trial and Appeal Board in Crocker National Bank v. Canadian Imperial Bank of Commerce, 223 USPQ 909 (1984), in re International Barrier Corp., 231 USPQ 310 (1986) and in re ETA Systems, Inc., 2 USPQ 2d 1367 (1987).

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Ms. Carlisle Walters, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3061

RIN: 0651-AA23

362. DUTY OF DISCLOSURE - INFORMATION DISCLOSURE STATEMENT

Significance: Agency Priority

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.56; 37 CFR 1.97; 37 CFR 1.98; 37 CFR 1.99

Legal Deadline: None.

Abstract: 37 CFR 1.56 and 1.97-1.99, which relate to the duty of patent applicants and owners to disclose information material to the examination of patent applications or to reexaminations, will be amended to specify more clearly the requirements to be met in making disclosures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: R. Franklin Burnett, Special Assistant, Department of Commerce, Patent and Trademark

Office, Washington, DC 20231, 703 557-3054

RIN: 0651-AA27

363. REQUESTS FOR PRESIDENTIAL PROCLAMATIONS UNDER THE SEMICONDUCTOR CHIP PROTECTION ACT

Significance: Regulatory Program

Legal Authority: 35 USC 6; 17 USC 901; EO 12504

CFR Citation: 37 CFR 150.1; 37 CFR 150.2; 37 CFR 150.3; 37 CFR 150.4; 37 CFR 150.5; 37 CFR 150.6

Legal Deadline: None.

Abstract: PTO proposes to amend its rules of practice to provide procedures implementing the provision in the Semiconductor Chip Protection Act of 1984 for the issuance of Presidential Proclamations to protect semiconductor chip products against unauthorized duplication.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Box 4, Washington, DC 20231, 703 557-3065

RIN: 0651-AA29

364. ● REVISION OF PATENT FEES

Significance: Agency Priority

Legal Authority: 35 USC 6; 35 USC 41; 35 USC 376

CFR Citation: 37 CFR 1.16; 37 CFR 1.17; 37 CFR 1.18; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.21; 37 CFR 1.24; 37 CFR 1.26; 37 CFR 1.297; 37 CFR 1.445; 37 CFR 1.482

Legal Deadline: None.

Abstract: PTO plans to propose amendments of its rules of practice in patent cases to adjust patent fees effective October 1, 1988, to reflect the fluctuations in the Consumer Price Index during the previous three years.

DOC—PTO

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Frances Michalkewicz, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, 703 557-1610

RIN: 0651-AA30

365. ● PRACTICE BEFORE THE PATENT AND TRADEMARK OFFICE

Significance: Agency Priority

Legal Authority: 35 USC 6; 35 USC 31; 35 USC 32; 5 USC 500; 15 USC 1123

CFR Citation: 37 CFR 10.5; 37 CFR 10.6; 37 CFR 10.23

Legal Deadline: None.

Abstract: PTO proposes to amend its rules governing the admission of

officers and employees of the United States to the register of attorneys and agents authorized to practice before the PTO in patent cases, and the practice of former PTO employees before the Office. The amendment would eliminate a restriction excluding federal employees from registration which has been held invalid on judicial review. Provisions affected by the elimination of that restriction would also be amended.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Nancy C. Slutter, Assistant Solicitor, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, 703 557-4035

RIN: 0651-AA31

366. ● MISCELLANEOUS CHANGES IN PATENT PRACTICE

Significance: Agency Priority

Legal Authority: 35 USC 6; 15 USC 1113; 15 USC 1123

CFR Citation: 37 CFR 1.4; 37 CFR 1.5; 37 CFR 1.53; 37 CFR 1.56; 37 CFR 1.81; 37 CFR 1.84; 37 CFR 1.85; 37 CFR 1.152; 37 CFR 1.378; 37 CFR 1.421; 37 CFR 1.480

Legal Deadline: None.

Abstract: PTO proposes to amend its regulations to make miscellaneous changes in patent practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Louis O. Maassel, Editor, MPEP, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, 703 557-3070

RIN: 0651-AA32

DEPARTMENT OF COMMERCE (DOC)
Patent and Trademark Office (PTO)

Final Rule Stage

367. VARIETY DENOMINATION REQUIREMENTS FOR PLANT PATENT APPLICATIONS

Legal Authority: 35 USC 41; 35 USC 6

CFR Citation: 37 CFR 1.17; 37 CFR 1.72; 37 CFR 1.168

Legal Deadline: None.

Abstract: PTO will propose amendment of its rules of practice in patent cases to implement the International Convention for the Protection of New Varieties of Plants. The International Convention requires registration of a plant variety name at the time a patent on a plant variety is issued. Compliance with the registration requirements of the Convention would be determined in the process of examining plant patent applications.

Timetable:

Action	Date	FR Cite
NPRM	08/16/85	50 FR 33062
NPRM Comment Period End	10/31/85	
Notice	12/27/85	50 FR 52963

Action	Date	FR Cite
NPRM	11/02/87	52 FR 42016
Final Action	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3065

RIN: 0651-AA12

368. TRADEMARK AUTOMATED SEARCH SYSTEM FEES

Legal Authority: 15 USC 1113; 15 USC 1123; PL 96-517; PL 97-247

CFR Citation: 37 CFR 2.6

Legal Deadline: None.

Abstract: PTO proposes to amend its rules to establish user fees for members of the public desiring to conduct trademark searches of the computerized data bases in the PTO's automated trademark search system.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31460
NPRM Comment Period End	09/05/84	
NPRM Comment Period Extended to	09/25/84	49 FR 35527
Final Action	04/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

DOC—PTO

Final Rule Stage

Agency Contact: Bradford R. Huther, Asst. Commissioner for Finance & Planning, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-1572

RIN: 0651-AA18

369. MISCELLANEOUS AMENDMENTS OF PATENT RULES

Legal Authority: 35 USC 6; 35 USC 135

CFR Citation: 37 CFR 1.14; 37 CFR 1.131; 37 CFR 1.192; 37 CFR 1.194; 37 CFR 1.196; 37 CFR 1.604; 37 CFR 1.607; 37 CFR 1.612; 37 CFR 1.637; 37 CFR 1.658; 37 CFR 1.662; 37 CFR 5.3

Legal Deadline: None.

Abstract: PTO plans to amend its rules of practice to clarify the procedure in patent interference cases, to make ex parte practice in patent cases consistent with the procedure in patent interference cases, and to expedite the disposition of appeals in ex parte cases.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36736
NPRM Comment	12/01/87	
Period End		
Final Action	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Saul I. Serota, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-4072

RIN: 0651-AA25

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

United States Travel and Tourism Administration (USTTA)

370. TRAVEL PROMOTION FEE

Significance: Regulatory Program

Legal Authority: Not yet enacted

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: USTTA has primary federal responsibility for stimulating travel to the United States by residents of foreign countries. Promotion and facilitation services are currently offered without charge to those who derive a direct benefit from the government's activities. A travel

promotion fee would recover the costs of these services. The Department of Commerce will submit draft legislation which would impose a fee on airlines and passenger ship lines which travel to the United States and directly benefit from USTTA promotional activities overseas. Airlines and passenger ship lines would be required to pay a fee for each passenger who arrives in the United States. Upon enactment of the legislation, USTTA will issue implementing regulations.

Timetable:

Action	Date	FR Cite
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Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jerry Manolatos, Director, Office of Management and Administration, Department of Commerce, United States Travel and Tourism Administration, Room 1524, Washington, DC 20230, 202 377-3812

RIN: 0644-AA00

[FR Doc. 88-5079 Filed 04-22-88; 8:45 am]

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