Rules and Regulations

Federal Register
Vol. 53, No. 135
Thursday, July 14, 1988

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 905

[Docket No. AMS-FV-88-068]

Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Relaxation of Handling Requirements for Remainder of 1987-88 Shipping Season

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department is adopting without modification as a final rule the provisions of an interim final rule which relaxed the minimum size requirement for shipments of domestic and imported white seedless grapefruit from size 48 (3$\frac{9}{16}$ inches in diameter) to size 56 (3$\frac{5}{16}$ inches in diameter) for the period May 9–August 21, 1988. In addition, the rule relaxed the minimum external grade requirement for domestic, export, and import shipments of pink and white seedless grapefruit from Improved No. 2 to U.S. No. 2 Russet for the period June 1–August 21, 1988. Effective August 22, 1988, tighter handling requirements will resume for seedless grapefruit. Also, the rule relaxed the minimum grade requirement for domestic shipments of Valencia and other late type oranges from U.S. No. 1 to U.S. No. 1 Golden for the period July 1–September 25, 1988. Effective September 26, 1988, tighter handling requirements will resume for Valencia and other late type oranges. Such relaxations were warranted by the grade, size, and maturity of the remaining 1987–88 season crop, and market demand conditions for these fruits.

EFFECTIVE DATE: July 14, 1988.

FOR FURTHER INFORMATION CONTACT: Gary D. Rasmussen, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2525-S, Washington, DC 20090-6456; telephone: (202) 475-3918.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the Act.

This rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 100 handlers of Florida oranges, grapefruit, tangerines, and tangelos subject to regulation under the Florida citrus marketing order, approximately 13,000 orange, grapefruit, tangerine, and tangelo producers in Florida, and approximately 26 importers who import grapefruit into the United States. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual gross revenues for the last three years of less than $500,000, and small agricultural service firms are defined as those whose gross annual receipts are less than $3,500,000. A minority of these handlers and a majority of these producers and importers may be classified as small entities. A review of audit reports which was recently completed indicates that a majority of the handlers are large entities, and a minority being small entities. Thus, the finding in the interim final rule that a majority of the handlers are small entities has been changed in this final rule to reflect this new finding.

An interim final rule amending § 905.306 Florida Orange, Grapefruit, Tangerine, and Tangelo Regulation 6 was issued May 9, 1988, and published in the **Federal Register** (53 FR 17169, May 16, 1988). Section 905.306 specifies minimum grade and size requirements for fresh Florida oranges, grapefruit, tangerines, and tangelos regulated under Marketing Order 905. That rule provided that interested persons could file public comments through June 15, 1988. No comments were received.

The interim final rule temporarily relaxed the minimum size requirement for domestic and import shipments of white seedless grapefruit from size 48 (3$\frac{9}{16}$ inches in diameter) to size 56 (3$\frac{5}{16}$ inches in diameter) for the period May 9, 1988, through August 21, 1988. Also, the minimum external grade requirement for domestic, export, and import shipments of pink and white seedless grapefruit was temporarily relaxed from Improved No. 2 to U.S. No. 2 Russet for the period June 1, 1988, through August 21, 1988. In addition, the minimum grade requirement for domestic shipments of Valencia and other late type oranges was temporarily relaxed from U.S. No. 1 to U.S. No. 1 Golden for the period July 1, 1988, through September 25, 1988. The relaxations for grapefruit will remain in effect through August 21, 1988, and for Valencia oranges through September 25, 1988, by which times 1987–88 season shipments of these fruits will be finished.

The relaxed handling requirements for pink and white seedless grapefruit and Valencia and other late type oranges is only for the remainder of the 1987–88 shipping seasons for these fruits. Tighter handling requirements, as specified in § 905.306, will resume for seedless grapefruit effective August 22, 1988, and for Valencia and other late type oranges effective September 26, 1988. The resumption of tighter requirements for 1988–89 season shipments is based upon the maturity, size, quality, and flavor characteristics of these fruits early in the shipping season.

The committee unanimously recommended the relaxed handling requirements for grapefruit and Valencia oranges at its May 3, 1988 meeting. It recommended that the size relaxation for white seedless grapefruit be made effective as soon as possible; that the grade relaxation for pink and white seedless grapefruit be made effective June 1, 1988; and that the grade relaxation for Valencia and other late type oranges be made effective July 1, 1988. The committee reported that at that time only a small portion of the Florida 1987–88 season grapefruit crop remained to be harvested, and that the crop would not remain in a condition to ship fresh much longer. Also, much of the remaining grapefruit crop was not in a condition to be shipped to distant export markets, and very few processing plants were utilizing grapefruit at that time of the season. The committee also estimated that most of the Valencia orange crop will be shipped by July 1, 1988, and that increased amounts of the fruit remaining for shipment at that time will have increased amounts of external discoloration. The changes in grade and size requirements reflected the composition of the remaining crop and prospective supply conditions, and were designed to maximize shipments to fresh market channels.

Section 905.306 was issued on a continuing basis subject to modification, suspension, or termination by the Secretary. Paragraph (a) of § 905.306 provides that no handler shall ship between the production area and any point outside thereof, in the continental United States, Canada, or Mexico, specified varieties of oranges, grapefruit, tangerines and tangelos unless such varieties meet the minimum grade and size requirements prescribed in Table I. Paragraph (b) of § 905.306 provides that no handler shall ship fruit to any destination outside the continental United States, other than Canada or Mexico, unless the specified varieties meet the requirements prescribed in Table II.

The Citrus Administrative Committee, which administers the program locally, meets prior to and during each season to consider recommendations for modification, suspension, or termination of the regulatory requirements for Florida oranges, grapefruit, tangerines, and tangelos. Committee meetings are open to the public and interested persons may express their views at these meetings. The Department reviews committee recommendations and information submitted by the committee and other available information, and determines whether modification, suspension, or termination of the regulatory requirements would tend to effectuate the declared policy of the Act.

Some Florida orange and grapefruit shipments are exempt from the minimum grade and size requirements effective under the marketing order. Handlers may ship up to 15 standard packed cartons (12 bushels) of fruit per day under a minimum quantity exemption provision. Also, handlers may ship up to two standard packed cartons of fruit per day in gift packages which are individually addressed and not for resale, under the current exemption provisions. Fruit shipped for animal feed is also exempt under specific conditions. In addition, fruit shipped to commercial processors for conversion into canned or frozen products or into a beverage base are not subject to the handling requirements.

Section 8e of the Act (7 U.S.C. 608e–1) provides that whenever specified commodities, including grapefruit, are regulated under a Federal marketing order, imports of that commodity are prohibited unless they meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodity. Since this action continues the relaxed minimum size requirement for domestically produced white seedless grapefruit and the relaxed minimum external grade requirement for domestically produced pink and white grapefruit, the continued relaxations are also applicable to imported pink and white seedless grapefruit.

Grapefruit import requirements are specified in § 944.106 (7 CFR Part 944), which requires that the various varieties of grapefruit imported into the United States meet the same grade and size requirements as those specified for Florida grapefruit in Table I of paragraph (a) in § 905.306. Section 944.106 was issued under section 8e of the Act. An exemption provision in the grapefruit import regulation permits persons to import up to 10 standard packed ⅘-bushel cartons exempt from the import requirements.

The minimum grade and size requirements, specified herein, reflect the committee's and the Department's appraisal of the need to relax the minimum size requirements applicable to domestic and import shipments of white seedless grapefruit; the minimum grade requirement applicable to the domestic, export, and import shipments of pink and white seedless grapefruit; and the minimum grade requirement applicable to domestic shipments of Valencia oranges. This rule recognizes current and prospective supply and demand for these fruits and continues to permit handlers to ship fruit meeting the relaxed requirements to meet market needs. No problems with fruit quality maturity, and size are expected in the marketplace because of the continuation of relaxed requirements.

Therefore, the Department's view is that the impact of this action upon producers, handlers, and importers would be beneficial because it will enable handlers to provide grapefruit and Valencia oranges consistent with buyer requirements. The application of minimum grade and size requirements to Florida grapefruit and Valencia oranges, and to imported grapefruit over the past several years, has resulted in fruit of acceptable grade and size being shipped to fresh markets.

Based on the above, the Administrator of AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, the information and recommendations submitted by the committee, and other available information, it is found that the rule as hereinafter set forth will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is found that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because: (1) This action continues relaxed handling requirements currently in effect for Florida grapefruit and Valencia and other late type oranges; (2) handlers of these fruits are aware of this action which was recommended unanimously by the committee at a public meeting and they are prepared to continue operating in accordance with the requirements; (3) shipment of the 1987–88 season Florida grapefruit and Valencia orange crops is nearly finished; (4) the grapefruit import requirements are mandatory under section 8e of the Act; (5) the interim final rule provided a 30-day period for filing comments, and no comments were received; and (6) no useful purpose would be served by delaying the effective date of this action until 30 days after publication.

List of Subject in 7 CFR Part 905

Marketing agreements and orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

For the reasons set forth in the preamble, the following action pertaining to 7 CFR Part 905 is taken·

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

1. The authority citation for 7 CFR Part 905 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 905.306 [Amended]

2. Accordingly, the interim final rule amending § 905.306, which was published in the **Federal Register** (53 FR 17171, May 16, 1988), is adopted as a final rule without change.

Dated: July 11, 1988.

Charles R. Brader,

Director, Fruit and Vegetable Division, Agricultural Marketing Serivce.

[FR Doc. 88–15893 Filed 7–13–88; 8:45 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Parts 1823, 1864, 1902, 1941, 1942, 1943, 1944, 1945, and 1951

Implementation of Concentration Banking System (CBS)

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) is amending its regulations to reflect changes in the internal handling of collections. This action is necessary because of the implementation of the Concentration Banking System (CBS). FmHA offices under CBS (more than 98 percent of all field offices) must use those systems for collections. The intended effect of these amendments is to implement CBS, thereby enabling the Government to realize substantial savings through more expeditious processing of collections.

EFFECTIVE DATE: July 14, 1988.

FOR FURTHER INFORMATION CONTACT: Ed Douglas, Debt Management Specialist, telephone (202) 475–4425, Farmers Home Administration, U.S. Department of Agriculture, Room 5507, South Agriculture Building, Washington, DC 20250.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA procedures established in Departmental Regulation 1512–1 which implements Executive Order 12291, and, since this action has no impact on FmHA borrowers or other members of the public, it has been determined to be exempt from those requirements because it involves only internal agency management. While these amendments do change the techniques used by FmHA for processing collections, these changes concern only processing after collections are received by FmHA. It is the policy of this Department that rules relating to public property, loans, grants, benefits, or contracts shall be published for comment notwithstanding exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since it involves internal agency management and publication for comment is unnecessary.

This document has been reviewed in accordance with 7 CFR Part 1940, Subpart G, Environmental Program. It is the determination of FmHA that this action does not constitute a major Federal Action significantly affecting the quality of the human environment and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91–190, an Environmental Impact Statement is not required.

For reasons set forth in the Final Rule related to Notice 7 CFR Part 3015, Subpart V (48 FR 29115, June 24, 1983), and FmHA Instruction 1940–J, "Intergovernmental Review of Farmers Home Administration Programs and Activities" (December 23, 1983), this activity is related to the following programs that are subject to intergovernment consultations with State and local officials:

10.405—Farm Labor Housing Loan and Grants
10.411—Rural Housing Site Loans (Sections 523 and 524 Site Loans)
10.414—Resource Conservation and Development Loans
10.415—Rural Rental Housing Loans
10.416—Soil and Water Loans
10.418—Water and Waste Disposal System for Rural Communities
10.419—Watershed Protection and Flood Prevention Loans
10.420—Rural Self-Help Housing Technical Assistance (Section 523 Technical Assistance)
10.422—Business and Industrial Loans
10.423—Community Facilities Loans
10.427—Rural Rental Assistance Payment (Rental Assistance)

In turn, the following programs to which this activity is also related, are not subject to Executive Order 12372:

10.404—Emergency Loans
10.406—Farm Operating Loans
10.407—Farm Ownership Loans
10.410—Low Income Housing Loans (Section 502 Rural Housing Loans)
10.417—Very Low-Income Housing Repair Loans and Grants (Section 504 Rural Housing Loans and Grants)
10.421—Indian Tribes and Tribal Corporation Loans
10.428—Economic Emergency Loans

List of Subjects

7 CFR Part 1823

Credit.

7 CFR Part 1864

Accounting, Loan programs—Agriculture, Rural areas.

7 CFR Part 1902

Accounting, Banks, banking, Grant programs—Housing and community development, Loan programs—Agriculture, Loan programs—Housing and community development.

7 CFR Part 1941

Crops, Livestock, Loan programs—Agriculture, Rural areas, Youth.

7 CFR Part 1942

Community development, Community facilities, Loan programs—Housing and community development, Loan security, Rural areas, Waste treatment and disposal—Domestic, Water supply—Domestic.

7 CFR Part 1943

Credit, Loan programs—Agriculture, Recreation, Water resources.

7 CFR Part 1944

Aged, Administrative practice and procedure, Handicapped, Farm labor housing, Grant programs—Housing and community development, Home improvement, Loan programs—Housing and community development, Low and moderate income housing—Rental, Migrant labor, Mobile homes, Mortgages, Nonprofit organizations, Public housing, Rent subsidies, Rural housing.

7 CFR Part 1945

Agriculture, Disaster assistance, Livestock, Loan programs—Agriculture.

7 CFR Part 1951

Accounting, Credit, Loan programs—Agriculture, Loan programs—Housing and community development, Mortgages, Collection of loan payments and depositing payments through the Concentration Banking System (CBS), Financial institutions.

Therefore, Chapter XVIII, Title 7, Code of Federal Regulations is amended as follows:

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION

1. The authority citation for Part 1823 is revised to read as follows:

Authority: 7 U.S.C. 1989, 5 U.S.C. 301, 7 CFR 2.23 and 7 CFR 2.70.

Subpart I—Processing Loans to Associations (Except for Domestic Water and Waste Disposal)

2. Section 1823.275(b)(1)(ii) is revised to read as follows:

§ 1823.275 Applications not receiving favorable consideration and loan cancellation.

* * * * *

(b) * * *

(1) * * *

(ii) In a direct loan or a loan made from the ACIF, if the check has been received or is received subsequently in the County Office, the County Supervisor will return it through the Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office), or, if an office is not using CBS, the check will be returned to the Finance Office with an original of Form FmHA 1940–10.

* * * * *

PART 1864—DEBT SETTLEMENT

3. The authority citation for Part 1864 is revised to read as follows:

Authority: 7 U.S.C. 1989, 42 U.S.C. 1480, 5 U.S.C. 301, 7 CFR 2.23 and 7 CFR 2.70.

4. Section 1864.15(b)(1) is revised to read as follows:

§ 1864.15 Preparation and processing of Form FmHA 1956-1.

* * * * *

(b) * * *

(1) Except as provided in the next sentence, payments offered by debtors in compromise or adjustment of debts will be deposited in accordance with FmHA Instruction 1951–B (available in any FmHA office). If a borrower submits a check bearing a restrictive notation or submits an accompanying letter containing restrictive statements and has not signed Form FmHA 1956–1, the check and the letter containing the restrictive statements will be sent to the State Office with an explanation of the circumstances and the State Office will determine with the advice of OGC how to handle the check. The use of restrictive notations will be discouraged to the fullest extent possible.

* * * * *

PART 1902—SUPERVISED BANK ACCOUNTS

5. The authority citation for Part 1902 is revised to read as follows:

Authority: 7 U.S.C. 1989, 42 U.S.C. 1480, 5 U.S.C. 301, 7 CFR 2.23 and 7 CFR 2.70.

Subpart A—Loan and Grant Disbursement

6. Section 1902.2 is amended by revising paragraph (b) to read as follows:

§ 1902.2 Policies concerning disbursement of funds.

* * * * *

(b) For all construction loans and those loans using multiple advances, only the actual amount to be disbursed at loan closing will be requested through State Office terminals. Subsequent checks will be ordered as needed through State Office terminals.

* * * * *

7. Section 1902.3 is amended by removing paragraph (b), redesignating current paragraphs (c) and (d) as paragraphs (b) and (c), respectively, and revising paragraph (a) to read as follows:

§ 1902.3 Procedures to follow in fund disbursement.

(a) The District Director or County Supervisor will determine during loan approval the amount(s) of loan check(s)—full or partial—and forward such request to process through State Office terminals.

* * * * *

8. Subpart C, consisting of § 1902.101 through 1902.150 is added to read as follows:

Subpart C—Selecting a Financial Institution for the Concentration Banking System (CBS)

§§ 1902.101 through 1902.103 [Reserved]

§ 1902.104 Establishing or changing a TLA.

(a) *Establishing a TLA.* (1) After a FI has been selected by the FmHA field office, the FmHA office will provide the State Office with the name and address of the FI selected.

(2) The FmHA field office must have the FI execute a MOU for CBS. Form FmHA 1902–7, will be completed when the MOU is executed. The FmHA field office will complete item 1 and the FI will complete the rest of the summary. Instructions for completing this form are in the FMI. The FmHA field office will forward three signed copies of the MOU together with the original and two copies of Form FMHA 1902–7 to the State Office coordinator. The State Office coordinator will check for the following common errors before submitting to the: Cash Management Staff, FmHA Finance Office, Mail Code FC–32, 1520 Market Street, St. Louis, MO 63103.

(i) Check to see that the local bank has signed all copies of the MOU and has affixed its seal next to the signature

(ii) Check signature blocks to insure that the local FmHA office has not signed in any of the blocks provided for the local bank and Treasury. This agreement is between the local bank and Treasury and FmHA will not be a party to the agreement.

(iii) Do not allow the bank to cross out or change any clauses in the MOU. Treasury will not accept modified agreements.

(iv) Do not allow the bank to retype the agreement as this would require a word-for-word verification of the entire document to determine whether anything had been changed.

(3) The Cash Management Staff will submit the MOU's to Treasury for signature along with the original and one copy of Form FmHA 1902–7. Treasury will sign the copies of the MOU, send one copy to the FI, one to the local FmHA office, and keep one copy for the files. Treasury will notify the Cash Management Staff if a MOU is rejected.

(4) The local FmHA office must obtain selected information from the FI for funds transfer purposes on CBS including information necessary to establish a compensation account to receive ACH transfers from the concentrator bank.

§§ 1902.105 through 1902.149 [Reserved]

§ 1902.150 OMB control number.

The collection of information requirements in this regulation have been approved by the Office of Management and Budget and have been assigned OMB Control Number 0575–0128.

PART 1941—OPERATING LOANS

9. The authority citation for Part 1941 continues to read as follows:

Authority: 7 U.S.C. 1989, 7 CFR 2.23 and 7 CFR 2.70.

Subpart A—Operating Loan Policies, Procedures, and Authorizations

§ 1941.33 [Amended]

10. Section 1941.33 is amended by removing paragraphs (c)(1) and (c)(3), and by redesignating paragraphs (c)(2) and (c)(4) as (c)(1) and (c)(2).

11. Section 1941.35(b) is revised to read as follows:

§ 1941.35 Actions after loan approval.

* * * * *

(b) *Cancellation of loan check and/or obligation.* If, for any reason, a loan check or obligation will be cancelled, the County Supervisor will notify the State Office and the Finance Office of loan cancellation by using Form 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation." If a check received in the County Office is to be canceled, the check will be returned through Concentration Banking System (CBS), as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, the check will be returned to the Finance Office with an original of Form FmHA 1940–10. (See FmHA Instruction 102.1, a copy of which may be obtained in any FmHA office.)

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PART 1942—ASSOCIATIONS

12. The authority citation for Part 1942 continues to read as follows:

Authority: 7 U.S.C. 1989, 7 CFR 2.23 and 7 CFR 2.70.

Subpart A—Community Facility Loans

§ 1942.6 [Amended]

13. Section 1942.6 is amended by removing paragraph (d)(1) and redesignating current paragraphs (d)(2) and (d)(3) as (d)(1) and (d)(2), respectively.

14. Section 1942.12(a) is revised to read as follows:

§ 1942.12 Loan cancellation.

* * * * *

(a) *Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation."* The District Director or State Director may prepare and execute Form FmHA 1940–10 in accordance with the Forms Manual Insert (FMI). For a loan made from the RDIF, if the check has been received or is subsequently received in the District Office, the District Director will return it through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, return it to the Finance Office with an original of Form FmHA 1940–10.

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PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION

15. The authority citation for Part 1943 continues to read as follows:

Authority: 7 U.S.C. 1989, 7 CFR 2.23 and 7 CFR 2.70.

Subpart A—Insured Farm Ownership Loan Policies, Procedures, and Authorizations

§ 1943.33 [Amended]

16. Section 1943.33 is amended by removing paragraphs (c)(1) and (c)(3), and redesignating paragraphs (c)(2) and (c)(4) as (c)(1) and (c)(2).

17. Section 1943.35 is amended by revising paragraph (c)(1) to read as follows:

§ 1943.35 Action after loan approval.

* * * * *

(c) * * *

(1) The County Supervisor will notify the State Office of loan cancellation by using Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation." The County Office will send a copy of Form FmHA 1940–10 to the designated attorney, Regional Attorney, or the title insurance company representative providing loan closing instructions to indicate that the loan has been canceled. If a check received in the County Office is to be canceled, the check will be returned through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B, (available in any FmHA office) or, if an office is not using CBS, the check will be returned to the Finance Office with an original of Form FmHA 1940–10.

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18. Section 1943.35(e) is amended by changing in the last sentence, the words "Finance Office" to read "State Office."

Subpart B—Insured Soil and Water Loan Policies, Procedures and Authorizations

§ 1943.83 [Amended]

19. Section 1943.83 is amended by removing paragraphs (c)(1) and (c)(3), and redesignating paragraphs (c)(2) and (c)(4) as (c)(1) and (c)(2).

20. Section 1943.85 is amended by revising paragraph (c)(1) to read as follows:

§ 1943.85 Action after loan approval.

* * * * *

(c) * * *

(1) The County Supervisor will notify the State Office of loan cancellation by using Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation." The County Office will send a copy of Form FmHA 1940–10 to the designated attorney, Regional Attorney, or the title insurance company representative providing loan closing instructions to indicate the loan has been canceled. If a check received in the County Office is to be canceled, the check will be returned through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office), or, if an office is not using CBS, the check will be returned to the Finance Office with an original of Form FmHA 1940–10.

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Subpart C—Insured Recreation Loan Policies, Procedures and Authorizations

21. In § 1943.133, paragraphs (b)(2)(i) and (d)(1) are amended by changing the reference "Form FmHA 440–1" to read "Form FmHA 1940–1."

22. Section 1943.133 is amended by revising paragraph (c) to read as follows:

§ 1943.133 Loan approval or disapproval.

* * * * *

(c) *Distribution of forms after loan approval.* The applicable docket forms will be distributed as outlined below by the loan approval official after a loan is approved.

(1) The original of Form FmHA 1940–1 and the remainder of the loan docket will be retained in the County Office.

(2) A signed copy of Form FmHA 1940–1 will be sent to the borrower on date of loan approval.

* * * * *

23. Section 1943.135 is amended by revising the introductory text of paragraph (a), by revising the first sentence of paragraph (a)(2), and by revising paragraph (c)(1) to read as follows:

§ 1943.135 Action after loan approval.

(a) *Requesting check.* If real estate will not be taken as security or if real estate is taken as security and satisfactory title evidence is obtained prior to loan approval or when the County Supervisor is reasonably certain that satisfactory title evidence can be obtained so the loan can be closed within 20 working days from the date of the check, loan funds may be requested at the time of loan approval through State Office terminals. If funds are not requested when the loan is approved, advances in the amount needed will be requested through State Office terminals. The original Form FmHA 440–57 will be retained in the County Office. The initial loan advance will be requested when loan approval conditions can be met, satisfactory title to real estate security can be provided, and a date has been set for loan closing.

* * * * *

(2) When loan funds cannot be disbursed as outlined in paragraph (a)(1) of this section, the amount needed to

meet the immediate needs of the borrower will be requested through State Office terminals. * * *

* * * * *

(c) * * *

(1) The County Supervisor will notify the State Office of loan cancellation by using Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation." The County Office will send a copy of Form FmHA 1940–10 to the designated attorney, Regional Attorney, or the title insurance company representative providing loan closing instructions to indicate that the loan has been canceled, the check will be returned through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, the check will be returned to the Finance Office with an original of Form FmHA 1940–10.

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24. Section 1943.135(e) is amended by changing, in the last sentence, the words "Finance Office" to read "State Office."

PART 1944—HOUSING

25. The authority citation for Part 1944 continues to read as follows:

Authority: 42 U.S.C. 1480, 7 CFR 2.23 and 7 CFR 2.70.

Subpart A—Section 502 Rural Housing Loan Policies, Procedures, and Authorizations

26. Section 1944.32 is amended by revising paragraphs (a)(1) and (c) to read as follows:

§ 1944.32 Actions subsequent to loan approval.

(a) * * *

(1) A loan check may be requested when all approval conditions can be met and necessary curative actions have been taken to provide a satisfactory title to real estate security. All check requests will be requested through State Office terminals.

* * * * *

(c) *Cancellation of loan.* Loans may be canceled before loan closing by the use of Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation," prepared in accordance with the FMI for the form. Checks received in the County Office will be returned through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or if an office is not using CBS, checks will be returned with the original Form FmHA 1940–10 to the Finance Office. Interested parties will be notified of the cancellation as provided in Part 1807 of this chapter (FmHA Instruction 427.1). If the cancellation is not a voluntary action by the applicant, the applicant will be notified in accordance with § 1910.6(b) of Subpart A of Part 1910 of this chapter.

* * * * *

27. Section 1944.33(f) is revised to read as follows:

§ 1944.33 Loan closing..

* * * * *

(f) *Direct Payments.* Direct payment coupons for all new borrowers, including transferees, will be retained in the County Office until the borrower has made at least six monthly payments on time. The coupons may then be delivered to the borrower and payments made directly to the Finance Office. The County Supervisor may retain the payment coupons for a longer period if such action is considered to be necessary to determine that the borrower is able to make timely payments as agreed. Payments made to the County Office will be processed through CBS as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, payments will be forwarded to the Finance Office with the appropriate direct payment coupon in the Finance Office mail. Cash payments, refunds, and extra payments made by borrowers will be handled in accordance with Subpart B of Part 1951 (available in any FmHA office).

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Subpart D—Farm Labor Housing Loan and Grant Policies, Procedures, and Authorizations

28. Section 1944.175(e) is revised to read as follows:

§ 1944.175 Actions subsequent to loan and/or grant approval.

* * * * *

(e) *Cancellation of loan.* Loans and/or grants may be canceled after approval and before loan closing as follows:

(1) The District Director will prepare Form FmHA 1944–53, "Multiple Family Housing Cancellation of U.S. Treasury Check and/or Obligation," in accordance with the Forms Manual Insert (FMI) as prescribed in FmHA Instruction 1951–B (available in any FmHA office).

(2) If the loan or grant check is received in the District Office, the District Director will return it through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, the check will be returned to the Finance Office with original of Form FmHA 1944–53.

(3) All interested parties will be notified of the cancellation as provided in Part 1807 of this chapter (FmHA Instruction 427.1).

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Subpart E—Rural Rental Housing Loan Policies, Procedures, and Authorizations

29. Section 1944.235 is amended by removing paragraph (f)(2), redesignating current paragraph (f)(3) as paragraph (f)(2), and revising paragraph (f)(1) to read as follows:

§ 1944.235 Actions subsequent to loan approval.

* * * * *

(f) * * *

(1) *Treasury check method.* If the loan check is received in the District Office, the District Director will return the check through the Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office), or, if an office is not using CBS, the check will be returned to the Finance Office with Form FmHA 1944–53, except if the check was issued by the National Finance Center (NFC). If the check was issued by NFC, cancel under FmHA Instruction 2024–P (available in any FmHA office).

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Subpart J—Section 504 Rural Housing Loans and Grants

30. Section 1944.469 (g)(1)(ii)(A) is revised to read as follows:

§ 1944.469 Loan and/or grant closing.

* * * * *

(g) * * *

(1) * * *

(ii) * * *

(A) Any funds returned shall first be applied to reducing a grant. When returning grant funds to the Finance Office, the collecting office will enter payment code 21 (other) on Form FmHA 451–2, "Schedule of Remittances," with a brief explanation ("Recovery of Section 504 Housing Repairs Grants") and return the grant funds through Concentration Banking System (CBS), as prescribed in FmHA Instruction 1951–B (available in any FmHA office). For offices not using CBS, they will forward Form FmHA 451–2 along with the check to the Finance Office.

* * * * *

PART 1945—EMERGENCY

31. The authority citation for Part 1945 continues to read as follows:

Authority: U.S.C. 1989, 5 U.S.C. 301, 7 CFR 2.23 and 7 CFR 2.70.

Subpart C—Economic Emergency Loans

32. Section 1945.126 (b)(3) is revised to read as follows:

§ 1945.126 Cancellation of loan checks and advances.

* * * * *

(b) * * *

(3) Transmit to the Finance Office an original of Form FmHA 1940–10 and Form FmHA 440–57 reflecting the revised repayment schedule. The advance will be cancelled through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, for offices not using CBS, the check will be sent to the Finance Office.

§ 1945.127 [Amended]

33. Section 1945.127 is amended by changing in the last sentence, the words "Finance Office" to read "State Office."

34. Section 1945.128(b) is revised to read as follows:

§ 1945.128 Docket preparation.

* * * * *

(b) *Form FmHA 1940–1, "Request for Obligation of Funds."* A separate Form FmHA 1940–1 will be prepared for each amount of the total loan which has a different purpose (operating or real estate), but Form FmHA 1940–37, "Economic Emergency Loan Analysis," will be prepared to reflect the total loan. When the County Supervisor is reasonably certain that the EE loan can be closed within 20 working days from the date of the check, loan funds may be requested at the time of loan approval through State Office terminals. Loan funds may be scheduled for multiple advances, if appropriate. The amount of the initial advance will be requested through State Office terminals. Subsequent advances may be scheduled by using the State Office terminals. Each advance will be limited to an amount which can be used promptly, usually within sixty days from the date of the check.

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Subpart D—Emergency Loan Policies, Procedures and Authorizations

35. Section 1945.185(a) is revised to read as follows:

§ 1945.185 Actions after loan approval.

* * * * *

(a) *Cancellation of loan check and/or obligation.* If, for any reason, a loan check and obligation will be cancelled, the County Supervisory will notify the State Office of loan cancellation by using Form FmHA 1940–10, "Cancellation of U.S. Treasury Check and/or Obligation." If a check received in the County Office is to be cancelled, the check will be returned through Concentration Banking System (CBS) as prescribed in FmHA Instruction 1951–B (available in any FmHA office) or, if an office is not using CBS, returned to the Finance Office with an original of Form FmHA 1940–10 (see FmHA Instruction 102.1, a copy of which is available in any FmHA office.

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36. Section 1945.185(c) is amended by changing in the last sentence, the words "Finance Office" to read "State Office."

PART 1951—SERVICING AND COLLECTIONS

37. The authority citation for Part 1951 is revised to read as follows:

Authority: 7 U.S.C. 1989, 42 U.S.C. 1480, 5 U.S.C. 301, 7 CFR 2.23, 7 CFR 2.70.

38. Subpart B, consisting of §§ 1951.51 through 1951.55, is revised to read as follows:

Subpart B—Collections

Sec.
1951.51 General.
1951.52 through 1951.53 [Reserved]
1951.54 Authority
1951.55 Receiving and processing collections.

§ 1951.51 General.

This Subpart prescribes the policies and procedures of the Farmers Home Administration (FmHA) for collection of loan payments and depositing payments through the Concentration Banking System (CBS). Under CBA, FmHA field offices select a local financial institution to maintain a Treasury Limited Account (TLA) for depositing FmHA loan collections. Deposits to these accounts are withdrawn daily by the concentrator bank for transfer to the Treasury. Under these procedures, the local FmHA office will deposit the daily office collections in a participating local financial institution and report the amount deposited to a data service facility that is under contract to the concentrator bank. The data service facility will inform the concentrator bank of the amount available in each local financial institution and the concentrator bank will use this information to transfer the funds to the concentrator bank and then to the Treasury.

§§ 1951.52 through 1951.53 [Reserved]

§ 1951.54 Authority.

The provisions of this subpart are applicable to FmHA employees who are authorized to receive collections. Employees listed in Exhibit B of this subpart (available in any FmHA office) are hereby authorized to receive, receipt for, exchange for money orders or bank drafts, and transmit collections or deposit collections in a TLA.

§ 1951.55 Receiving and processing collections.

FmHA offices receive borrower payments either through the mail or in person in the form of checks, money orders, and cash. Payments are recorded on the appropriate accounting forms which are Form FmHA 451–2, Form FmHA 1944–9, or a payment coupon. These documents are used to transmit accounting information to the Finance Office. In addition, the FmHA office records payments on either a management system card, a servicing card, or a rental assistance tracking form, as appropriate. (Note: The borrower's case number will be inserted in any clear space in the upper part of the face of the check, preferably in the upper right hand corner. For Multi-Family Housing, the project number must be inserted after the case number. If the remittance covers more than one borrower, insert the State and County or District Code on the face of the check.)

Dated: March 23, 1988.

Vance L. Clark,

Administrator, Farmers Home Administration.

[FR Doc. 88–15545 Filed 7–13–88; 8:45 am]

BILLING CODE 3410-07-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 70

General Requirements for Decommissioning Nuclear Facilities; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule appearing in the **Federal Register** on June 27, 1988 (53 FR 24018) which establishes technical and financial criteria for decommissioning licensed nuclear facilities. This action is necessary to insert a date that was inadvertently omitted from the final rule.

EFFECTIVE DATE: July 27, 1988.