

U.S. Office of Personnel Management.
Constance Berry Newman,
Director.

Accordingly, OPM is adopting its interim rules published November 8, 1988 (53 FR 45069) as final rules with the following changes:

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

1. The authority citation for part 890 continues to read as follows:

Authority: 5 U.S.C. 8913; § 890.102 also issued under 5 U.S.C. 1104 and Pub. L. 100-654; § 890.803 also issued under sec. 303 of Pub. L. 99-569, 100 Stat. 3190, sec. 188 of Pub. L. 100-204, 101 Stat. 1331, and sec. 204 of Pub. L. 100-238, 101 Stat. 1744; subpart K also issued under title II of Pub. L. 100-654.

2. In § 890.301, paragraph (g)(2) is revised to read as follows:

§ 890.301 Opportunities to register to enroll and change enrollment.

(g) * * *

(2) An employee, or former spouse who has established eligibility for health benefits under § 890.803 of this part and who is not enrolled but is covered by the enrollment of another under this part, may register to be enrolled: (i) Within 31 days after termination of coverage for a reason other than death of the enrollee or cancellation, and (ii) within 60 days after termination of coverage because of the enrollee's death.

3. In § 890.303, paragraph (g) is revised to read as follows:

§ 890.303 Continuation of enrollment.

(g) *Former spouse entitled to coverage as employee or member of family.* An individual entitled to health benefits as a former spouse who also has or becomes entitled to health benefits coverage as a Federal employee or as a family member under another enrollment under this part, may defer or suspend coverage as a former spouse and continue his or her coverage as an employee or family member. The former spouse must have established entitlement to the health benefits coverage under § 890.803 of this part and filed all required documents with the employing office responsible for maintaining the former spouse enrollment within the time limits specified in § 890.805 of this part. The employing office shall note in the former spouse's file that the former spouse health benefits enrollment is being deferred or suspended until coverage as a Federal employee or as a family member ends. Upon loss of coverage as a Federal employee or as a family

member, the individual is entitled to enroll or resume the enrollment as a former spouse, provided he or she remains eligible as such. A former spouse who enrolls because he or she lost coverage under another enrollment under this part for a reason other than cancellation must meet the requirements of § 890.301(g)(2). A former spouse who enrolls because he or she lost coverage under another enrollment under this part as a result of cancellation of the covering enrollment must meet the requirements of § 890.301(g)(4).

[FR Doc. 90-8289-Filed 4-10-90; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Parts 1823, 1901, 1942, 1944, 1948, and 1965

Forms SF 424.1, "Application for Federal Assistance (For Non-construction)," and SF 424.2, "Application for Federal Assistance (For Construction)"

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations to provide for changes in forms references. This action is necessary because of changes in the name and number of the "Application for Federal Assistance" form and to correct other unsubstantial errors. The intended effect of the action is to do away with the use of several preapplication and application forms and replacing them with two forms. It will also bring FmHA regulations into compliance with OMB Circular A-102 and USDA Regulation 3015.

EFFECTIVE DATE: April 11, 1990.

FOR FURTHER INFORMATION CONTACT: Donna H. Roderick, Loan Specialist, Water and Waste Disposal Division, Farmers Home Administration, USDA, South Agriculture Building, Room 6328, Washington, DC 20250, telephone: (202) 382-9589.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Departmental Regulation 1512-1, which implements Executive Order 12291, and has been determined to be exempt from those requirements because it involves only internal Agency management. It is the policy of this Department to publish for comment rules relating to public

property, loans, grants, benefits, or contracts, notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. The amended regulations change the name and number of Forms AD-621, "Preapplication for Federal Assistance," AD-623, "Application for Federal Assistance (Nonconstruction Programs)," AD-624, "Application for Federal Assistance (for Construction Programs)," and AD-625, "Application for Federal Assistance (Short Form)," to Form SF 424.1, "Application for Federal Assistance (For Non-construction)," and Form SF 424.2, "Application for Federal Assistance (For Construction)." In addition, the amendments correct several typographical errors in the regulations, and correct the inadvertent omissions of prior unsubstantial changes to form names and reference number. This action is not published for proposed rulemaking since it involves only internal agency management and, therefore, publication for comment is unnecessary.

This action affects the following programs listed in the catalog of Federal Domestic Assistance.

- 10.405 Farm Labor Housing Loans and Grants
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.421 Indian Tribes and Tribal Corporation Loans
- 10.423 Community Facilities Loans
- 10.433 Rural Housing Preservation Grants
- 10.436 Technical Assistance and Training Grants

These programs/activities are subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See 7 CFR 3015, subpart V (48 FR 29112, June 24, 1983) and FmHA Instruction 1940-J, "Intergovernmental Review of Farmers Home Administration Programs and Activities" (December 23, 1983).

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, Public Law 91-190, an Environmental Impact Statement is not required.

List of Subjects for 7 CFR Parts 1823, 1901, 1942, 1944, 1948, and 1965

Loan and grant programs—Housing and community development, Rural areas, Community development, Community facilities, Low and moderate income housing—rental.

Therefore, chapter XVIII, title 7, Code of Federal Regulations, is amended as follows:

1. The authority citations for the parts 1823, 1901, 1942, 1944, 1948, and 1965 continue to read as follows:

PART 1823—[AMENDED]

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

PART 1901—[AMENDED]

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 40 U.S.C. 442; 5 U.S.C. 301; 42 U.S.C. 2942; 7 CFR 2.23; 7 CFR 2.70.

PART 1942—[AMENDED]

Authority: 7 U.S.C. 1989; 16 U.S.C. 1005; 5 U.S.C. 301; 7 CFR 2.23; 7 CFR 2.70.

PART 1944—[AMENDED]

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

PART 1948—[AMENDED]

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

PART 1965—[AMENDED]

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

CHAPTER XVIII—[AMENDED]

2. 7 CFR chapter XVIII is amended by removing the words "Form AD-621, 'Preapplication for Federal Assistance'," and adding in their place, the words "SF 424.1, 'Application for Federal Assistance (For Non-construction)'" in the following places:

(a) Part 1942, subpart I,

§ 1942.412(a)(1)(i)

(b) Part 1942, subpart J, § 1942.463(a)

(c) Part 1948, subpart B, § 1948.79(c)

3. 7 CFR chapter XVIII is amended by removing the words "Form AD-621" and adding in their place, the words "SF 424.1" in the following places:

(a) Part 1942, subpart I,

§§ 1942.412(a)(1)(i) and (ii)

(b) Part 1944, subpart K,

§§ 1944.526(a)(1) (second reference),

(b)(1), (c)(3), 1944.531(c)(1) and Exhibit B, paragraph D 5

(c) Part 1948, subpart B, § 1948.79(k)(1)

4. 7 CFR chapter XVIII is amended by removing the words "Form AD-621, 'Preapplication for Federal Assistance'," and adding in their place, the words "SF

424.2, 'Application for Federal Assistance (For Construction)'," in the following places:

(a) Part 1942, subpart A, § 1942.2(a)(1)

(b) Part 1944, subpart D, § 1944.170(a)

(c) Part 1944, subpart E, § 1944.231 (introductory text)

(d) Part 1944, subpart N, § 1944.676(a)

5. 7 CFR chapter XVIII is amended by removing the words "Form AD-621" and adding in their place, the words "SF 424.2" in the following places:

(a) Part 1942, subpart A,

§§ 1942.2(a)(1), (a)(1)(ii), (a)(2), and

1942.17(m)(1)

(b) Part 1944, subpart E,

§§ 1944.231(a)(1) and (2) and

(a)(9)(ii)(A)(i)

(c) Part 1944, subpart N, § 1944.676(a)

(d) Part 1948, subpart B, § 1948.84(b)

6. 7 CFR chapter XVIII is amended by removing the words "Form AD-621, 'Preapplication for Federal Assistance'," and adding in their place, the words "SF 424.2 (for preapplication submission)" in the following places:

(a) Part 1944, subpart D, exhibit A-1, (introductory text of paragraph I)

(b) Part 1944, subpart E, exhibit A, paragraph II C (introductory text), and exhibit A-6 (introductory text)

7. 7 CFR chapter XVIII is amended by removing the words "Form AD-623, 'Application for Federal Assistance (Nonconstruction Programs)'," and adding in their place, the words "SF 424.1" in the following places:

(a) Part 1944, subpart K,

§ 1944.526(d)(1)

(b) Part 1948, subpart B, § 1948.79(i)

8. 7 CFR chapter XVIII is amended by removing the words "Form AD-623" and adding in their place, the words "SF 424.1" in the following places:

(a) Part 1944, subpart K,

§§ 1944.525(d)(2), 1944.531(a), (b), (c),

and (c)(4)

(b) Part 1948, subpart B, §§ 1948.79(k) and (k)(4)

9. 7 CFR chapter XVIII is amended by removing the words "Form AD-624, 'Application for Federal Assistance (for Construction Programs)'," and adding in their place, the words "SF 424.2" in the following places:

(a) Part 1942, subpart A, § 1942.2(c)(2)

(b) Part 1948, subpart B, § 1948.84(a)

10. 7 CFR chapter XVIII is amended by removing the words "Form AD-625, 'Application for Federal Assistance (Short Form)'," and adding in their place, the words "SF 424.2 (for application submission)," in the following places:

(a) Part 1944, subpart D, § 1944.171(a), exhibit A-1 (introductory text of paragraph II), and exhibit A-2 (introductory text of paragraph II),

(b) Part 1944, subpart E, Exhibit A-8 (introductory text)

11. 7 CFR chapter XVIII is amended by removing the words "Form AD-625," and adding in their place, the words "SF 424.2," in the following places:

(a) Part 1944, subpart D, Exhibit A-1, paragraph II A.

(b) Part 1944, subpart E, Exhibit A, paragraph V A

12. 7 CFR chapter XVIII is amended by removing the words "AD-621, 'Preapplication for Federal Assistance'," and adding in their place, the words "SF 424.2, 'Application for Federal Assistance (For Construction)' (for preapplication submission)," in the following places:

(a) Part 1944, subpart D, § 1944.171(d)

13. 7 CFR chapter XVIII is amended by removing the words "AD-625, 'Application for Federal Assistance (Short Form)'," and adding in their place, the words "SF 424.2, 'Application for Federal Assistance (For Construction)' (for application submission)," in the following places:

(a) Part 1944, subpart D, § 1944.171(d)

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION**Subpart N—Loans to Indian Tribes and Tribal Corporations**

14. In Exhibit A, paragraph (1), the words, "AD-621, 'Preapplication for Federal Assistance'," are changed to "SF 424.1, 'Application for Federal Assistance (For Non-construction)'."

PART 1901—PROGRAM-RELATED INSTRUCTIONS**Subpart E—Civil Rights Compliance Requirements**

15. In § 1901.203(c)(4)(ii), the words "the Form AD-625, 'Application for Federal Assistance,'" are changed to "SF 424.1, 'Application for Federal Assistance (For Non-construction), or SF 424.2, 'Application for Federal Assistance (For Construction)'."

Subpart H—A-95 Review, Evaluation, and Coordination of Projects

16. Section 1901.355(a)(1) is amended by changing the words "Standard Form 424, 'Federal Assistance,'" to "SF 424.1, 'Application for Federal Assistance (For Non-construction)', or SF 424.2, 'Application for Federal Assistance (For Construction)'," and by removing the words "or Form AD-621, 'Preapplication for Federal Assistance'."

PART 1942—ASSOCIATIONS**Subpart A—Community Facility Loans**

17. Section 1942.2(a)(1) is amended by changing the reference § 1901.352 (c) to § 1901.352 (b).

Subpart C—Fire and Rescue Loans

18. In § 1942.104(a), the words, "Form AD-624, 'Application for Federal Assistance (For Construction Programs)'," are changed to "SF 424.2, 'Application for Federal Assistance (For Construction)'."

Subpart J—Technical Assistance and Training Grants

19. In § 1942.466(a)(1), the words, "Form AD-623, 'Application for Federal Assistance (Nonconstruction Programs)'," are changed to "SF 424.1, 'Application for Federal Assistance (For Non-construction)'."

PART 1944—HOUSING**Subpart D—Farm Labor Housing Loan and Grant Policies, Procedures and Authorizations**

20. In Exhibit A-1, paragraph I D, and Exhibit A-2, paragraph I J, the words "race, color, national origin, sex, or marital status" are changed to "race, color, sex, age, handicap, marital or familial status or National origin."

Subpart K—Technical and Supervisory Assistance Grants

21. In § 1944.526(a)(1), the first reference to the words, "Form AD-621" are changed to "SF 424.1, 'Application for Federal Assistance (For Non-construction)'."

22. In § 1944.531(c)(9), Exhibit B, paragraph A 3, and Exhibit C, paragraph A 3, the name of Form FmHA 400-4 is changed from "Nondiscrimination" to "Assurance" Agreement.

23. In §§ 1944.531 (c)(7), 1944.533 (c), (d), (f)(1), (2), (2)(iv), (4) and (4)(i), and 1944.536, the words "440-1" are changed to "1940-1."

24. In Exhibit B, paragraph A 1, and Exhibit C, paragraph A 1, the words "Form FmHA AD-621, 'Preapplication for Federal Assistance,'" are changed to "SF 424.1."

Subpart N—Housing Preservation Grants

25. In § 1944.681(a), the words "Form AD-623, 'Application for Federal Assistance (Nonconstruction Programs)'," are changed to "SF 424.2."

PART 1948—RURAL DEVELOPMENT**Subpart B—Section 601—Energy Impacted Area Development Assistance Program**

26. In § 1948.84(a), the words "Form AD-621," are changed to "SF 424.2," "Application for Federal Assistance (For Construction)".

27. In § 1948.84 (d) and (i)(1), the words "Form AD-624," are changed to "SF 424.2."

28. In § 1948.79(j), the words "AD-623," are changed to "SF 424.1."

29. In § 1948.79(d)(4), the name of Form FmHA 400-4 is changed from "Nondiscrimination" to "Assurance" Agreement.

PART 1965—REAL PROPERTY**Subpart B—Security Servicing for Multiple Housing Loans**

30. In § 1965.65(f)(12), the words "AD-625, 'Application for Federal Assistance (Short Form)'," are changed to read, "SF 424.2, 'Application for Federal Assistance (For Construction)'."

Dated: March 14, 1990.

La Verne Ausman,
Administrator, Farmers Home
Administration.

[FR Doc. 90-8238 Filed 4-10-90; 8:45 am]

BILLING CODE 3410-07-M

Animal and Plant Health Inspection Service**9 CFR Part 75**

[Docket No. 89-162]

Equine Infectious Anemia

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations on interstate movement of horses and other equines that test positive for equine infectious anemia (EIA) to permit the owners of EIA reactors to send those reactors to an approved stockyard for sale for immediate slaughter. We are also requiring that approved stockyards must hold EIA reactors in quarantine pens at least 200 yards from other livestock. The easing of restrictions should make it more practical for owners to prevent the spread of disease by sending reactors to slaughter, while the quarantine pen requirement will prevent the spread of EIA in stockyards.

EFFECTIVE DATE: May 11, 1990.

FOR FURTHER INFORMATION CONTACT:

Dr. C.A. Gipson, Sheep, Goat, Equine, and Poultry Diseases Staff, VS, APHIS, USDA, room 769, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-6954.

SUPPLEMENTARY INFORMATION:**Background**

The regulations in 9 CFR part 75 (referred to below as the regulations) contain provisions for the interstate movement of horses, asses, ponies, mules, and zebras that test positive for communicable diseases, including equine infectious anemia (EIA). The purpose of these provisions is to prevent the spread of communicable diseases, including EIA.

On December 29, 1986, we published in the *Federal Register* (51 FR 46867-46869, Docket Number 85-023) a document proposing to allow interstate shipment of EIA reactors to an approved stockyard for sale for immediate slaughter. For a full discussion of the problems of interstate movement of EIA reactors, refer to that proposal. The proposal was intended to reduce interstate shipping expenses of EIA reactor horses by allowing greater flexibility to shippers of EIA reactors and, thereby, encourage the slaughter of EIA-affected animals.

We withdrew that proposal and published a revised substitute proposal in the *Federal Register* on July 5, 1989 (54 FR 28070-28073, Docket No. 87-033). In this document we proposed that stockyards would have to keep EIA reactors in quarantined pens at least 200 yards from other equines, unless the reactors were moved out of the stockyard within 24 hours of arrival. We also proposed to require that the reactors must, within 30 days of their arrival at the stockyard, be moved directly to slaughter.

Our proposal invited the submission of written comments, due on or before September 5, 1989. We received four comments, three from State departments of agriculture and one from a veterinary association. One commenter supported the proposed rule, and three commenters (two State departments of agriculture and the veterinary association) recommended changes to the proposal. These comments and our responses are discussed below.

We are adopting the provisions of the proposed rule, with two modifications discussed below, for the reasons set forth in the proposal and in this supplementary information section.

Comment: All EIA reactors should be quarantined at a distance of 200 yards from other equines in the stockyard;

there should be no exception for reactors moving from the stockyard within 24 hours of their arrival. A study by Foil, Adams, McManus and Issel presented at the Fifth International Conference on Equine Infectious Diseases presents evidence that the length of time diseased horses are in close proximity is not the predominant factor determining the spread of EIA.

Response: All State animal health agencies enforce State regulations at stockyards to prevent disease transmission by EIA reactors. These State regulations were designed mainly to deal with EIA reactors sold intrastate, but are also applied to EIA reactors moved interstate to the stockyards and remaining there for less than 24 hours. EIA reactors sold intrastate generally spend no more than 24 hours at a stockyard, and we believe the risk posed by EIA reactors moving interstate which spend less than 24 hours at a stockyard are equivalent to the risks posed by EIA reactors sold intrastate at a stockyard. We believe State regulations are generally effective in preventing EIA transmission at stockyards over a 24-hour period. We believe that the State regulations, in combination with the Fly Control Program required by § 75.4(c)(3) of this rule, make it necessary to require that EIA reactors spending less than 24 hours at a stockyard be placed in quarantine pens 200 yards from other equines.

The cited study did not address the probability of EIA transmission over short periods of time; the study involved groups of EIA reactor and EIA negative horses pastured together over nine month periods. None of the EIA negative horses became infected during the first 14 days of contact with the EIA reactors.

Comment: The requirement that EIA reactors must be moved from the stockyard within 30 days after arrival should be changed to require them to be moved within 3 to 5 days after arrival. The shorter period would reduce the exposure time of other equines and should still meet the needs of EIA reactor owners.

Response: The 30 day period was chosen because evidence shows that a 200 yard isolation distance would serve to prevent EIA transmission indefinitely, and because some stockyards only hold sales on a monthly basis. A 30 day period would allow reactors that arrive at a stockyard soon after a monthly sale to be held in quarantine until the next sale. However, we agree that there is a slight increase in risk of EIA transmission associated with increases in the length of time reactors are held in quarantine at the stockyard. We have determined that persons moving EIA

reactors interstate for sale should be able to plan their movement so that the reactors will not spend more than five days at the stockyard. Therefore, we are changing § 75.4(b)(4) to reduce the deadline for removing EIA reactors from the stockyard to five days after their arrival. Because this change may occasionally result in EIA reactors being required to leave the stockyard prior to an opportunity to be sold for slaughter, we are also changing this paragraph to allow EIA reactors to be returned directly to its home farm in accordance with § 75.4(b)(3) after spending five days at the stockyard.

Comment: Requiring screened enclosures for EIA reactors at stockyards would more effectively prevent EIA transmission than requiring a 200 yard isolation distance, and would be more manageable for stockyards. Many stockyards are not large enough to allow a quarantine pen 200 yards from other equine pens. Also, if non-equine animals are allowed in the intervening distance (e.g., cattle), flies carrying EIA could gradually move from the quarantine pen, and from host to host in the non-equine pens, to pens containing equines that are not EIA reactors.

Response: Requiring screened enclosures would add a significant economic burden to stockyards without increasing the degree of safety provided by a 200 yard isolation distance. Holding EIA reactors in screened pens in proximity to non-reactor equines might reduce the number of flies in contact with the reactors, but it would facilitate the movement of those flies (through broken screens, or at times when the pen doors are opened) between EIA reactors and non-reactors. Scientific studies, including a report by Kemen, McClain and Matthyse (1978) have found EIA transmission to occur only when infected and susceptible horses were housed close together, and have found that susceptible horses separated by more than 100 meters from infected horses were usually not infected. The experiences of various States enforcing a 200 yard isolation have also shown this distance to be an effective barrier to fly movement. It is not anticipated that all stockyards could be approved to handle EIA reactors for interstate movement; those that lack the room to set up a quarantine pen at 200 yards distance should not be approved.

We have considered the possibility of flies moving from EIA reactors to nonequine animals in the 200 yard isolation area, and from those animals to non-reactor equines. We believe that few flies would successfully advance more than 200 yards to come in contact

with susceptible equines, even if non-equine hosts were available in the intervening area; studies¹ have shown that tabanid flies tend to remain in the vicinity of nearby hosts as long as they are available. However, since the probability of transmission of EIA to non-reactor equines would be slightly increased by the presence of non-equine hosts in the 200 yard isolation area, we are changing the rule to prohibit the presence of any animals in the isolation area. We are also adding a definition of "animals" to the regulation, to include cattle, sheep, goats, other ruminants, swine, horses, asses, mules, zebras, dogs, and poultry. These are the animals likely to be present at stockyards and to present a risk of spreading flies if allowed in the 200 yard isolation area.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule". Based on information compiled by the Department, we have determined that this rule will have an effect on the economy of less than \$100 million; will not cause a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions; and will not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

We anticipate that fewer than 500 EIA reactor horses and other equines will be moved interstate each year under the amended provisions of part 75. This number is insignificant compared with the total number of horses and other equines moved interstate each year. Most movements of EIA reactors and other equines are done by small entities, moving one or a few horses at a time. Those small entities moving EIA reactors in accordance with this rule will experience a slight financial benefit due to increased opportunities for and decreased costs associated with the sale for slaughter of their EIA reactors. Approximately thirty approved stockyards, most of which are small entities, will experience slight financial

¹ Documents concerning our evaluation of these studies are contained in the administrative record for this rule, and may be obtained by writing to Dr. C.A. Cipson, Sheep, Goat, Equine, and Poultry Diseases Staff, VS, APHIS, USDA, Room 769, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

benefits by being allowed to deal in EIA reactors. The average annual benefit to these stockyards is anticipated to be approximately \$250.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection provisions in this document. These provisions have been assigned OMB control number 0579-0051.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with state and local officials. (See 7 CFR part 3015, subpart V.)

List of Subjects in 9 CFR Part 75

Animal diseases, Contagious equine metritis, Dourine, Equine, Equine infectious anemia, Horses, Quarantine, Transportation.

PART 75—COMMUNICABLE DISEASES IN HORSES, ASSES, PONIES, MULES, AND ZEBRAS

Accordingly, 9 CFR part 75 is amended as follows:

1. The authority citation for part 75 continues to read as follows:

Authority: 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134-134h; 7 CFR 2.17, 2.51, and 371.2(d).

§ 75.4 Interstate movement of equine infectious anemia reactors and approval of laboratories, diagnostic facilities, research facilities, and stockyards.

2. In § 75.4, the heading is revised as set forth above.

§ 75.4 [Amended]

3. In § 75.4, paragraph (a) is amended to add, in alphabetical order, the following definitions:

Animals. Cattle, sheep, goats, other ruminants, swine, horses, asses, mules, zebras, dogs, and poultry.

Approved stockyard. A stockyard, livestock market, or other premises, under state or federal veterinary supervision where horses or other equines are assembled for sale

purposes, and which has been approved by the Administrator under this part.

Operator. The individual responsible for the day-to-day operations of the specifically approved stockyard.

§ 75.4 [Amended]

4. In § 75.4, paragraph (b) is amended to change "(b)(1), (b)(2), or (b)(3)" in the first sentence to read "(b)(1), (b)(2), (b)(3), or (b)(4)", to change the period at the end of paragraph (b)(3) to read "; and"; and to add a new paragraph (b)(4) to read as follows:

(b) * * *

(4) The reactor is moved interstate through no more than one approved stockyard for sale for immediate slaughter, and is moved within five days of its arrival at the approved stockyard directly to:

(i) Slaughter at a federally inspected slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*), or

(ii) Slaughter at a state-inspected slaughtering establishment that has inspection by a state representative at the time of slaughter, or

(iii) The home farm of the reactor in accordance with paragraph (b)(3) of this section.

5. In § 75.4, the heading to paragraph (c) is revised to read "Approval of Laboratories, Diagnostic or Research Facilities, and Stockyards," and a new paragraph (c)(3) is added to read as follows:

§ 75.4 Interstate movement of equine infectious anemia reactors and approval of laboratories, diagnostic facilities, research facilities, and stockyards.

(c) * * *

(3) The Administrator will approve stockyards to handle reactors moved interstate under paragraph (b)(4) of this section when the operator of the stockyard executes the following agreement:

Agreement for Specifically Approved Stockyard for Handling Known Equine Infectious Anemia Reactor Horses and Other Equines Pursuant to Title 9 of the Code of Federal Regulations

[Name of Stockyard] _____
[Address and Stockyard] _____

I, (name of operator), operator of (name of stockyard), hereby agree to maintain and operate this stockyard at (premises location) in accordance with each of the provisions set forth herein.

Cooperation

(1) An accredited veterinarian, state representative, or APHIS representative shall

be on the stockyard premises on sale days to perform duties in accordance with state and federal regulations.

(2) The state animal health official and the veterinarian in charge shall be furnished with a current schedule of sale days which apply to the stockyard and any revision to the schedule of sale days prior to implementation of such revision.

(3) State representatives and APHIS representatives shall be granted, during normal business hours, access to stockyard premises and facilities to determine compliance with the requirements of title 9, Code of Federal Regulations and the Standards of this agreement.

Handling of Horses and Other Equines

(4) Horses and other equines shall be received, handled, and released by the stockyard only in accordance with title 9 of the Code of Federal Regulations.

(5) Any horses and other equines classified as equine infectious anemia reactors and accepted by the stockyard for sale shall be:

(a) Placed in quarantined pens at least 200 yards from all non-EIA-reactor equines or other animals, unless moving out of the stockyard within 24 hours of arrival; and (b) consigned from the stockyard only to a slaughtering establishment or to the home farm of the reactor in accordance with title 9, Code of Federal Regulations, part 75.

Facilities

(6) Quarantined pens for the confinement of horses and other equines classified as equine infectious anemia reactors shall be clearly placarded "Quarantined," "Equine Infectious Anemia," or "Swamp Fever."

Fly Control Program

(7) The stockyard shall have in effect a fly control program utilizing at least one of the following: baits, fly strips, electric bug killers ("Fly Zappers," "Fly Snappers," or similar equipment), application of a pesticide effective against flies, applied according to the schedule and dosage recommended by the manufacturer for fly control.

Records

(8) Any document relating to animals which are or have been in the stockyard shall be maintained by the stockyard for a period of 1 year from the date the animal arrives at the stockyard.

(9) State representatives and APHIS representatives shall be granted, during all hours the stockyard business office is open, access to all documents required to be maintained pursuant to paragraph (8) of this agreement, and authority to reproduce such documents upon request.

I, _____, hereby acknowledge receipt of a copy of title 9, Code of Federal Regulations, part 75, and hereby acknowledge that I have been informed and understand that failure to abide by the provisions of this agreement constitutes a basis for the withdrawal of approval from this stockyard.

Request Approval
Operator of the Stockyard _____

Recommended Approval
State Animal Health Official _____
Date _____
Recommended Approval
Veterinarian in Charge _____
Date _____
Approval Granted
Administrator, Animal and Plant Health In-
spection Service _____
Date _____

§ 75.42 [Amended]

6. In § 75.4, the heading of paragraph (d) is revised to read "**Denial and withdrawal of approval of laboratories, diagnostic or research facilities, and stockyards.**"

7. In § 75.4, the introductory sentence to paragraph (d) is amended to insert "or of any stockyard to handle reactors under this part," after "or of any diagnostic or research facility to receive reactors moved interstate," and to insert "or stockyard" after "the laboratory or diagnostic or research facility".

8. In § 75.4, the introductory sentence of paragraph (d) is further amended to change the period to a comma and to add "or, in the case of a stockyard, upon a determination that the stockyard is not maintained and operated in accordance with the standards specified in paragraph (c)(3) of this section."

9. In § 75.4, paragraph (d)(1) is amended to add "or stockyard" after "laboratory or facility".

10. In § 75.4, paragraph (d)(2) is amended to add "or stockyard" after "laboratory or facility" wherever it appears in the paragraph.

11. In § 75.4, a new paragraph (d)(5) is added to read as follows:

§ 75.4 Interstate movement of equine infectious anemia reactors and approval of laboratories, diagnostic facilities, research facilities, and stockyards.

(d) * * *

(5) Approval for a stockyard to handle reactors under this part will be automatically withdrawn by the Administrator when the operator of the approved stockyard notifies the Administrator, in writing, that the stockyard no longer handles reactors moved interstate under this part.

Done in Washington, DC, this 5th day of April 1990.

James W. Glosser,
Administrator, Animal and Plant Health
Inspection Service.

[FR Doc. 90-8379 Filed 4-10-90; 8:45 am]

BILLING CODE 3410-34-M

FEDERAL ELECTION COMMISSION

[Notice 1990-4]

11 CFR Part 110

Contributions and Expenditures: Prohibited Contributions

AGENCY: Federal Election Commission.

ACTION: Final rule; Announcement of effective date.

SUMMARY: On November 24, 1989 (54 FR 48580), the Commission published the text of revised regulations at 11 CFR 110.4(a) which prohibit foreign nationals from making contributions and other persons from accepting such contributions in connection with any election for local, State or Federal public office. These regulations implement section 441e of the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. 431 *et seq.* The Commission announces that these rules are effective as of April 11, 1990.

EFFECTIVE DATE: April 11, 1990.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, 999 E Street NW., Washington, DC 20463, (202) 376-5690 or toll free (800) 424-9530.

SUPPLEMENTARY INFORMATION: Section 438(d) of title 2, United States Code, requires that any rule or regulation prescribed by the Commission to implement title 2 of the United States Code be transmitted to the Speaker of the House of Representatives and the President of the Senate thirty legislative days before final promulgation. The revisions to 11 CFR 110.4 were transmitted to Congress on November 17, 1989. Thirty legislative days expired in the House of Representatives on March 23, 1990 and in the Senate on March 26, 1990.

Announcement of Effective Date: 11 CFR 110.4, as published at 54 FR 48580, is effective as of April 11, 1990.

Dated: April 5, 1990.
Lee Ann Elliott,
Chairman, Federal Election Commission.

[FR Doc. 90-8419 Filed 4-10-90; 8:45 am]

BILLING CODE 9715-01-M

DEPARTMENT OF THE TREASURY Office of Thrift Supervision

12 CFR Parts 500, 543, 544, 545, 546, 550, 552, 563, 563b, 563f, 567, 574 and 584

[No. 90-546]

RIN 1550-AA13

Miscellaneous Conforming and Technical Amendments

AGENCY: Office of Thrift Supervision, Treasury.

ACTION: Final rule; miscellaneous conforming and technical amendments.

SUMMARY: The Office of Thrift Supervision ("Office") is amending its regulations in order to standardize most filing procedures for applications requiring action by the Office in Washington, the Office's Washington staff, or by a District Office. Filing procedures in 12 CFR 563d.1, and 12 CFR parts 563g and 563b, with the exception of §§ 563b.3(i) and 563b.28, remain unchanged. The centralized system of filings will better enable the Office to monitor the status of applications filed for review in Washington. This procedure will simplify and expedite application processing.

EFFECTIVE DATE: June 11, 1990.

FOR FURTHER INFORMATION CONTACT: Cindy Hausch, Financial Analyst, (202) 906-7488; Cheryl Martin, Regional Director, (202) 906-7869; Kathleen O. Willard, Deputy Director, (202) 906-6789; Patrick G. Berbakos, Director, (202) 906-6720, Corporate Activities; Robyn Dennis, Financial Analyst, (202) 331-4572, Industry Rehabilitation, Supervision Operations; Lawrence D. Kaplan, Staff Attorney, (202) 906-7508, Corporate and Securities Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: On August 10, 1987, President Reagan signed into law the Competitive Equality Banking Act of 1987 ("CEBA"), Pub. L. 100-86, 101 Stat. 552. Pursuant to section 410(a) of CEBA, the Federal Home Loan Bank Board ("Board"), predecessor to the Office, promulgated Applications processing guidelines, at 12 CFR 571.12 (1988). In order to streamline further the processing of applications submitted to the Office's Washington staff for review, the Office is amending 12 CFR 500.32 to implement a centralized system for application filings, in order to ensure that all appropriate offices, as required by Regulations, receive copies of application filings. Pursuant to § 500.32(c), most application filings required to be made with the Office's