

before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This document contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended to read as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for 7 CFR part 301 continues to read as follows:

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.17, 2.51, and 371.2(c).

§ 301.64 [Amended]

2. In § 301.64, paragraph (a), the phrase "the States of California and Texas" is removed and the phrase "the State of Texas" is added in its place.

§ 301.64–3 [Amended]

3. In § 301.64–3, paragraph (c) is amended by removing the entry for "California" and the description of the regulated area for Los Angeles County, CA.

Done in Washington, DC, this 30th day of December 1992.

Lonnie J. King,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 93–64 Filed 1–4–93; 8:45 am]

BILLING CODE 3410–34–M

7 CFR Part 354

[Docket No. 92–175–1]

Commuted Traveltime Periods

AGENCY: Animal and Plant Health Inspection Service, USDA. *

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning overtime services provided by employees of Plant Protection and Quarantine (PPQ) by removing and adding commuted traveltime allowances for travel between Green Bay and Milwaukee, Wisconsin. Commuted traveltime allowances are the periods of time required for PPQ employees to travel from their dispatch points and return there from the places where they perform Sunday, holiday, or

other overtime duty. The Government charges a fee for certain overtime services provided by PPQ employees and, under certain circumstances, the fee may include the cost of commuted traveltime. This action is necessary to inform the public of commuted traveltime for these locations.

EFFECTIVE DATE: January 5, 1993.

FOR FURTHER INFORMATION CONTACT:

George H. McFadden, Jr., Director, Resource Management Support, PPQ, APHIS, USDA, room 458, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–7764.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 7 CFR, chapter III, and 9 CFR, chapter I, subchapter D, require inspection, laboratory testing, certification, or quarantine of certain plants, plant products, animals and animal byproducts, or other commodities intended for importation into, or exportation from, the United States. When these services must be provided by an employee of PPQ on a Sunday or holiday, or at any other time outside the PPQ employee's regular duty hours, the Government charges a fee for the services in accordance with 7 CFR part 354. Under circumstances described in § 354.1(a)(2), this fee may include the cost of commuted traveltime. Section 354.2 contains administrative instructions prescribing commuted traveltime allowances, which reflect, as nearly as practicable, the periods of time required for PPQ employees to travel from their dispatch points and return there from the places where they perform Sunday, holiday, or other overtime duty.

We are amending § 354.2 of the regulations by removing and adding commuted traveltime allowances for travel between Green Bay and Milwaukee, Wisconsin. The amendments are set forth in the rule portion of this document. This action is necessary to inform the public of the commuted traveltime between the dispatch and service locations.

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.

The number of requests for overtime services of PPQ employee at the locations affected by our rule represents an insignificant portion of the total number of requests for these services in the United States.

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.

Effective Date

The commuted travel time allowances appropriate for employees performing services at ports of entry, and the features of the reimbursement plan for recovering the cost of furnishing port of entry services, depend upon facts within the knowledge of the Department of Agriculture. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to the administrative procedure provisions in 5 U.S.C. 553, we find upon good cause that prior notice and other public procedure with respect to this rule are impracticable and unnecessary; we also find good cause for making this rule effective less than 30 days after publication of this document in the *Federal Register*.

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.)

Executive Order 12778

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is intended to have preemptive effect with respect to any state or local laws, regulations, or policies that conflict with its provisions or that would otherwise impede its full implementation. This rule is not intended to have retroactive effect unless so specified in the "Effective Date" section of this preamble. There are no administrative procedures that must be exhausted prior to any judicial

challenge to the provisions of this rule or the application of its provisions.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 354

Exports, Government employees, Imports, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Travel and transportation expenses.

Accordingly, 7 CFR part 354 is amended as follows:

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS; AND USER FEES

1. The authority citation for part 354 continues to read as follows:

Authority: 7 U.S.C. 2260, 21 U.S.C. 136 and 136a; 49 U.S.C. 1741; 7 CFR 2.17, 2.51, and 371.2(c).

2. Section 354.2 is amended by removing or adding in the table, in alphabetical order, the information as shown below:

§354.2 Administrative instructions prescribing commuted traveltime.

* * * * *

COMMUTED TRAVELTIME ALLOWANCES [In hours]

Location covered	Served from	Metropolitan area	
		Within	Outside
Remove:			
Wisconsin: Green Bay	Milwaukee		
Add:			
Wisconsin: Green Bay	Milwaukee		

Done in Washington, DC, this 30th day of December 1992.

Lonnie J. King,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 93-66 Filed 1-4-93; 8:45 am]

BILLING CODE 3410-34-M

Agricultural Marketing Service

7 CFR Part 921

[Docket No. FV92-921-1]

Suspension of Provisions of Marketing Order 921; Fresh Peaches Grown in Designated Counties in Washington

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Suspension and referendum order.

SUMMARY: This action suspends all provisions of Federal Marketing Order No. 921 for peaches grown in designated counties in Washington, and the rules and regulations issued thereunder. This action directs that a referendum be conducted among eligible growers to determine whether they favor continuance of the Federal marketing order regulating the handling of their fruit. This action is taken as a result of a recommendation for suspension made by the Washington Fresh Peach Marketing Committee (committee), the agency responsible for local administration of the order. The committee's recommendation was based on the Washington State Department of Agriculture's promulgation of handling regulations on fresh peaches comparable to those that are in place under the Federal marketing order. The committee believes that with the duplication of regulations, continuing to fund the Federal marketing order is an unnecessary expense.

EFFECTIVE DATE: March 31, 1993. The representative production period for the referendum is July 1–September 30, 1993. The referendum will be conducted during the period November 13–December 10, 1993.

FOR FURTHER INFORMATION CONTACT: Gary D. Olson, Northwest Marketing Field Office, 1220 SW. Third Avenue, room 369, Portland, Oregon 97204, telephone 503-326-2724, or Ken Johnson, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456, telephone 202-690-3670.

SUPPLEMENTARY INFORMATION: The Marketing Agreement and Order No. 921 (7 CFR part 921) regulates the handling of peaches grown in designated counties in Washington. The 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." The suspension action is being taken under the provisions of section 8c(16)(A) of the Act.

The referendum will be conducted in accordance with the procedure for the conduct of referenda to determine whether continuation of the marketing order is favored by producers, who during the representative period were engaged in the production of peaches grown in designated counties in Washington. The procedure applicable to the referenda is the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 *et seq.*). The representative period for the conduct of such referendum is hereby determined to be July 1 through September 30, 1993.

This action has been reviewed by the Department of Agriculture (Department) in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

This action has been reviewed under Executive Order 12778, Civil Justice Reform. It is not intended to have retroactive effect. This action will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 8c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and requesting a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has as his or her principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after date of the entry of the ruling.

Pursuant to the 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 65 handlers of Washington peaches who are subject to regulation under the marketing order and approximately 890 peach producers. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than \$500,000. Small agricultural service firms are defined as those whose annual receipts are less than \$3,500,000. The majority of these handlers and producers may be classified as small entities.

Marketing Order 921 has been in effect since 1960. The order provides for the establishment of grade, size, quality, maturity, pack and container, and inspection requirements. In addition, the order authorizes marketing research and development. It also provides for reporting and recordkeeping requirements on affected handlers. The production and marketing season runs from late July to early October.

The committee met on May 12, 1992, and by an 11 to 1 vote recommended that the marketing order be suspended at the end of the 1992-93 fiscal period. The recommendation was made to eliminate the expense of administering the marketing order. The committee's recommendation was based on the Washington State Department of Agriculture's (State) promulgation of handling regulations on intrastate shipments of fresh peaches. The State handling regulations are similar to those regulations that are in place under the Federal marketing order. With this duplication of regulations, the committee believes that continuing to fund the Federal program is an unnecessary expense. While the marketing order authorizes marketing research and development projects, this provision has been inactive for many years.

The committee recommended suspension, not termination, of the marketing order to allow the industry an opportunity to review the effectiveness of operating only under State handling regulations. If problems develop, the committee wants the industry to have the alternative of reactivating the Federal marketing order. Evidence indicates that the committee and the industry continue to support the need for grade, size, quality, maturity, pack and container, and inspection requirements.

The industry will have the opportunity to monitor the effectiveness

of the State handling regulations, without Federal marketing order regulations in effect, during the next marketing season. After that season is completed, the Department will conduct a referendum of eligible growers to determine whether they favor continuance of the Federal marketing order.

Thus, it is determined that Federal Marketing Order 921 and the rules and regulations issued thereunder do not tend to effectuate the declared policy of the Act. This action suspends, effective March 31, 1993, for an indefinite period, provisions of Federal Marketing Order 921 and the rules and regulations issued thereunder, including:

- (1) Provisions of the order dealing with the establishment and responsibilities of the committee and the administration of the order;
- (2) The grade, size, quality, maturity, pack and container, and inspection requirements;
- (3) The administrative rules and regulations related to special purpose shipments; and
- (4) Information collection and reporting requirements (In compliance with the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), such requirements have been approved by the Office of Management and Budget and assigned OMB Control No. 0581-0097).

It is also found and determined, upon good cause, that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice or to engage in further public procedure with respect to this action because:

- (1) This action relieves restrictions on handlers by suspending the requirements regulating the handling of peaches pursuant to M.O. 921;
- (2) Handlers are aware of this action, which was discussed and recommended at public meetings held by the committee;
- (3) A grower referendum will be conducted prior to deciding whether to continue or terminate the program; and
- (4) No useful purpose would be served by delaying the suspension of the marketing order.

The committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property in its possession, or under its control, including claims for any funds unpaid or property not delivered.

The said trustees shall:

- (1) Continue in such capacity until discharged by the Secretary;
- (2) From time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and

of the trustees, to such persons as the Secretary may direct; and

(3) Upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.

Any person to whom funds, property, or claims have been transferred or delivered, shall be subject to the same obligation imposed upon the committee and upon the trustees.

After a statement of total claims and debts, remaining funds held in the reserve account will be returned, on a pro rata basis, to those handlers who paid assessments under M.O. 921 during one or more of the 1990-91, 1991-92 and 1992-93 fiscal years.

The Secretary of Agriculture (Secretary) has the authority to conduct a continuance referendum to determine whether growers affected by a marketing order favor continuance of their order. The Secretary has determined that continuance referenda are an effective means for ascertaining whether growers favor continuance of marketing order programs.

The Secretary would consider termination of the order if less than two thirds of the peach growers voting in the referendum and growers of less than two-thirds of the volume of such fruit represented in the referendum, favor continuance. In evaluating the merits of continuance versus termination, the Secretary would consider the results of the continuance referendum, other relevant information concerning the operation of the order, and the relative benefits and disadvantages to growers, handlers, and consumers. Through such analysis, the Secretary would determine whether continued existence of the order would tend to effectuate the declared policy of the Act.

In any event section 8c(16)(B) of the Act requires the Secretary to terminate an order whenever the Secretary finds that a majority of all growers favor termination, and that majority produced for market more than 50 percent of the commodity covered by the order.

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the ballot material that will be used in the referendum herein ordered has been submitted to and approved by the Office of Management and Budget (OMB) and has been assigned OMB No. 0581-0097. It has been estimated that it will take an average of 10 minutes to read and complete the ballot for each of the approximately 150 growers who elect to

participate in the voluntary referendum balloting.

It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 *et seq.*) to determine whether continuance of the marketing order regulating the handling of Washington peaches is approved or favored by producers who during the representative period were engaged in the production of peaches grown in designated counties in Washington.

The referendum agents of the Secretary to conduct the referendum are hereby designated as Gary D. Olson and Robert J. Curry, Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 1220 SW Third Ave., room 369, Portland, Oregon, 97204, telephone (503) 326-2724.

Ballots will be mailed to all growers of record. Ballots may also be obtained at County Extension Service Offices or by contacting the USDA Northwest Marketing Field Office.

Copies of the text of Marketing Order No. 921 may be obtained, at the above address, by contacting the referendum agents.

List of Subjects in 7 CFR Part 921

Marketing agreements, Peaches, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 921 is suspended as follows:

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

1. The authority citation for 7 CFR part 921 continues to read as follows:

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

2. Part 921—Fresh Peaches Grown in Designated Counties in Washington (7 CFR part 921), and all provisions therein, is suspended effective March 31, 1993, for an indefinite period.

Dated: December 29, 1992.

John E. Frydenlund,
Deputy Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 93-63 Filed 1-4-93; 8:45 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Parts 1822, 1823, 1900, 1901, 1910, 1941, 1942, 1943, 1944, 1945, 1948, 1951, and 1980

RIN 0575-AA64

Processing and Servicing FmHA Assistance to Employees, Relatives and Associates

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: Farmers Home Administration (FmHA) issues new regulations on processing and servicing FmHA assistance to FmHA employees, members of their families, known close relatives and associates. This action is taken to prevent employees from being directly involved in the processing or servicing of authorized FmHA program assistance to those with whom they have business or close personal associations. The intended effect is to reduce agency vulnerability to employee conflict of interest.

EFFECTIVE DATE: These rules become effective February 4, 1993.

FOR FURTHER INFORMATION CONTACT: Joyce M. Halasz, Senior Realty Specialist, Property Management Branch, Single Family Housing Servicing and Property Management Division, Room 5307-S, (202) 720-1452.

SUPPLEMENTARY INFORMATION: FmHA Instruction 2045-BB, Employee Responsibilities and Conduct (available in any FmHA office), requires the maintenance of high standards of honesty, integrity, and impartiality by FmHA employees. To reduce the potential for employee conflict of interest, any processing, approval, servicing or review activity, including access to automated information systems, is conducted only by authorized FmHA employees who (1) are not themselves the recipient; (2) are not members of the family or known close relatives of the recipient; (3) do not have an immediate working relationship with the recipient, the employee related to the recipient, or the employee who would normally conduct the activity; or (4) do not have a business or close personal association with the recipient. Nothing in the rule takes precedence over individual program requirements or restrictions. A reference to this rule and its requirements is added to the regulations of each of the programs affected.

Classification

This action has been reviewed under USDA procedures in Departmental

Regulation 1512-1, which implements Executive Order 12291 and has been determined to be "nonmajor" since the annual effect on the economy is less than \$100 million and there will be no significant increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions. Furthermore, there will be no adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States based enterprises to compete with foreign based enterprises in domestic or import markets. This action is not expected to substantially affect budget outlay or affect more than one agency or to be controversial.

Background/Discussion

On July 16, 1985, the Office of Inspector General (OIG) presented results of a FmHA Nationwide Audit of County Office Operations (04642-1-Te) which revealed that the agency's internal control process, a major administrative control, did not cover program assistance provided to close relatives of FmHA employees. OIG recommended changing regulations to prevent those with loan approval authority from approving loans to their close relatives. The agency determined the OIG finding and related areas of vulnerability should be addressed in single regulation governing all stages of processing and servicing any authorized program assistance provided to FmHA employees, members of their families, known close relatives and business or close personal associates.

On July 9, 1990, FmHA published a proposed rule (55 FR 28057) on processing and servicing FmHA assistance to employees, relatives and associates. Two comments were received. One comment from an employee requested an explanation of the reasons why an employee may or may not be permitted to obtain a particular type of FmHA loan or grant assistance and indicated that a closing agent's eligibility for FmHA program benefits should be discussed. This action does not in any way affect the eligibility of an employee or a closing agent for FmHA program benefits; therefore, the requested discussions are beyond the scope of this action. Comments from an employee organization requested clarification of certain administrative provisions which will be provided with instructions for program implementation. Other changes were made to the proposed rule as a result of more detailed analysis by program officials during the final rule clearance process. These changes:

- Revised the definition of employee to clarify the status of county or area committee members and closing agents.
- Added a reference to assure that prohibited processing and servicing activity also prohibited access to automated loan records.
- To simplify reporting and review procedures, provided that assistance usually processed and serviced at the County level would be reassigned only to another County Office, and at the District level only to another District Office. This necessitated removal of proposed provisions for default servicing.
- Clarified the responsible officials for assistance processed and serviced at a State Office and for assistance to relatives or associates of a State Director.
- Added a reference to clarify the source of funds to be obligated.
- Added provisions for handling acquired property case files.
- Replaced several ambiguous references to FmHA officials with the term "processing/servicing official."
- Made several minor editorial and grammatical changes which clarify but do not affect the proposed meaning or intent.

In addition, while the proposed rule published the entire FmHA Instruction, the final rule omits internal management and operating procedures. In the past, FmHA regulations published in the Federal Register and FmHA Instructions distributed to FmHA field offices have been identical, comprised of regulations as well as internal management and operating procedures. The agency has adopted a policy of publishing only FmHA regulations which confer an entitlement or benefit or impose an obligation on the public. FmHA Instructions distributed to FmHA field offices will include regulations and internal management and operating procedures and are available to the public on request.

Programs Affected

The programs affected are listed in the Catalog of Federal Domestic Assistance under:

- 10.404 Emergency Loans
- 10.405 Farm Labor Housing Loans and Grants
- 10.406 Farm Operating Loans
- 10.407 Farm Ownership Loans
- 10.410 Low Income Housing Loans
- 10.411 Rural Housing Site Development Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Rental Housing Loans
- 10.416 Soil and Water Loans

- 10.417 Very Low-Income Housing Repair Loans and Grants
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.419 Watershed Protection and Flood Prevention Loans
- 10.420 Rural Self-Help Housing Technical Assistance
- 10.421 Indian Tribes and Tribal Corporation Loans
- 10.422 Business and Industrial Loans
- 10.423 Community Facilities Loans
- 10.424 Rural Business Enterprise Grants and Television Demonstration Grants
- 10.427 Rural Rental Assistance Payments
- 10.428 Economic Emergency Loans
- 10.433 Housing Preservation Grants
- 10.434 Nonprofit National Corporation Loan and Grant Program
- 10.437 Rural Development Loan Fund
- 10.438 Intermediary Relending Program

Intergovernmental Consultation

This activity affects all FmHA financial assistance programs listed above which are subject to Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR 3015, subpart V).

Environmental Impact Statement

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

7 CFR Part 1822

Aged, Loan programs—Housing and community development, Low and moderate income housing, Mortgages, Nonprofit corporations, Rent subsidies, Rural housing.

7 CFR Part 1823

Credit, Indians.

7 CFR Part 1900

Administrative practice and procedure, Government employees, Conflict of interest, Federal aid programs, Rural areas, Low and moderate income housing, Loan programs—Housing and community development, Loan programs—Agriculture.

7 CFR Part 1901

Agriculture, Authority delegations.

7 CFR Part 1910

Applications, Credit, Loan programs—Agriculture, Loan

programs—Housing and community development, Low and moderate income housing, Marital status discrimination, Sex discrimination.

7 CFR Part 1941

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

7 CFR Part 1942

Business and industry, Community development, Community facilities, Grant programs—Housing and community development, Industrial park, Loan programs—Housing and community development, Loan programs—Natural resources, Loan security, Rural areas, Soil conservation, Waste treatment and disposal—Domestic, Water supply—Domestic.

7 CFR Part 1943

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

7 CFR Part 1944

Administrative practice and procedure, Aged, Farm labor housing, Grant programs—Housing and community development, Handicapped, 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, Reporting and recordkeeping requirements, Rural housing, Subsidies.

7 CFR Part 1945

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

7 CFR Part 1948

Business and industry, coal, Community development, Community facilities, Energy, Grant programs—Housing and community development, Housing, Nuclear energy, Planning, Rural areas, Transportation, Credit, Economic development.

7 CFR Part 1951

Account servicing, Debt restructuring, Credit, Loan programs—Agriculture, Loan programs—Housing and community development, Low and moderate income housing loans—Servicing.

7 CFR Part 1980

Agriculture, Grant programs—Nonprofit corporations, Home improvement, Livestock, Loan programs—Agriculture, Loan programs—Housing and community development, Mortgage insurance, Mortgages, Rural areas, Loan

programs—Community programs—Rural development assistance.

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

PART 1822—RURAL HOUSING LOANS AND GRANTS

1. The authority citation for part 1822 continues to read as follows:

Authority: Sec. 510, 63 Stat. 437, 42 U.S.C. 1480; Orders of Secy. of Agr., 29 FR 16210, 32 FR 6650.

Subpart G—Rural Housing Site Loan Policies, Procedures, and Authorizations

2. Section 1822.261 is amended by adding new text after the sentence to read as follows:

§ 1822.261 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

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

3. The authority citation for part 1823 continues to read as follows:

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

Subpart N—Loans to Indian Tribes and Tribal Corporations

4. Section 1823.401 is amended by adding new text after the first sentence to read as follows:

§ 1823.401 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

PART 1900—GENERAL

5. The authority citation for part 1900 continues 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 2.70.

6. Part 1900 is amended by adding subpart D to read as follows:

Subpart D—Processing and Servicing FmHA Assistance to Employees, Relatives, and Associates

Sec.

- 1900.151 General.
- 1900.152 Definitions.
- 1900.153 Identifying and reporting an employee relationship.
- 1900.154 Determining the need for special handling.
- 1900.155 Designating the processing/servicing official.
- 1900.156 Special handling-processing.
- 1900.157–1900.200 [Reserved]

PART 1900—GENERAL

Subpart D—Processing and Servicing FmHA Assistance to Employees, Relatives, and Associates

§ 1900.151 General.

(a) Farmers Home Administration (FmHA) Instruction 2045-BB (available in any FmHA office) requires the maintenance of high standards of honesty, integrity, and impartiality by employees. To reduce the potential for employee conflict of interest, any processing, approval, servicing or review activity, including access through automated information systems, is conducted only by authorized FmHA employees who:

- (1) Are not themselves the recipient.
- (2) Are not members of the family or known close relatives of the recipient.
- (3) Do not have an immediate working relationship with the recipient, the employee related to the recipient, or the employee who would normally conduct the activity.
- (4) Do not have a business or close personal association with the recipient.

(b) No provision of this subpart takes precedence over individual program requirements or restrictions, especially those restrictions found in FmHA Instruction 2045-BB (available in any FmHA office) relating to eligibility for FmHA assistance of FmHA employees, members of families of employees, close relatives, or business or close personal associates of employees.

(c) The determination of a case's need for special handling under the provisions of this subpart is not an adverse action and, therefore, is not subject to appeal.

§ 1900.152 Definitions.

Applicant or borrower. All persons or organizations, individually or collectively, applying for or receiving insured or guaranteed loan or grant assistance from or through FmHA. Referred to as recipient.

Assistance. Loans or grants made, insured or guaranteed, or serviced by FmHA.

Associates. All persons with whom an employee has a business or close personal association or immediate working relationship.

Business association. Business relationship between those with an identity of financial interest; including but not limited to a business partnership, being an officer, director, trustee, partner or employee of an organization, or other long-term contractual relationship.

Close personal association. Social relationship between unrelated residents of the same household.

Close relatives. The spouse, relatives and step-relatives of an employee or the employee's spouse, including Grandmother, Grandfather, Mother, Father, Aunt, Uncle, Sister, Brother, Daughter, Son, Niece, Nephew, Granddaughter, Grandson, and First Cousin.

Conflict of interest. A situation (or the appearance of one) in which one could reasonably conclude that an FmHA employee's private interest conflicts with his or her Government duties and responsibilities, even though there may not actually be a conflict.

Employee. All FmHA personnel, including gratuitous employees and those negotiating for or having arrangements for prospective employment, except as otherwise specifically stated. For the purposes of this instruction only, the term also refers to county or area committee members, elected or appointed, and to closing agents who, although they are not employees, have a special relationship to FmHA and therefore should be subject to these provisions.

Immediate working relationship. A relationship between a subordinate and a supervisor in a direct line, or between co-workers in the same office. For the purposes of this subpart, the relationships among a County Supervisor and members of the local County Committee are immediate working relationships.

Members of family. Blood and in-law relatives (such as by marriage or adoption) who are residents of the employee's household.

Recipient. One who has applied for or received FmHA financial assistance in the form of a loan or grant. See definition of applicant or borrower.

§ 1900.153 Identifying and reporting an employee relationship.

(a) **Responsibility of applicant.** When an application for assistance is filed, the processing official asks if there is any

known relationship or association with an FmHA employee. The applicant is required to disclose the requested information under subpart A of part 1910 of this chapter and pertinent program regulations.

(b) *Responsibility of FmHA employee.* An FmHA employee who knows he or she is related to or associated with an applicant or recipient, regardless of whether the relationship or association is known to others, is required to notify the FmHA official who is processing or servicing the assistance, in writing. FmHA Guide Letter 1900-D-1 (available in any FmHA office) may be used as the notice. If the appropriate official is not known, the State Director should be notified. Regardless of whether the relationship or association is defined in § 1900.152 of this subpart, if the employee believes there may be a potential conflict of interest, the FmHA official who is processing or servicing the assistance may be notified and special handling requested. An employee's request that the case receive special handling is usually honored.

(c) *Responsibility of FmHA official.* When any relationship or association is identified, the FmHA official completes and submits FmHA Guide Letter 1900-D-2 (available in any FmHA office) to the State Director (or Administrator, under paragraph (e) of this section or § 1900.155(a) of this subpart). When completed FmHA Guide Letter 1900-D-3 (available in any FmHA office) is returned by the State Director, the processing official;

(1) [Reserved]

(2) [Reserved]

(3) notifies the recipient in writing of the change in responsibility and any other pertinent information.

(4) [Reserved]

(d) *Relationship or association established after application for FmHA assistance.* If a relationship or association is established after an application has been filed or assistance has been provided, both recipient and employee are required to notify the FmHA official who is processing or servicing the assistance. FmHA Guide Letter 1900-D-1 (available in any FmHA office) may be used for the notice.

(e) *Relationship or association with a State Office, Finance Office or National Office employee.* If an identified relationship or association is with an employee at a State Office (other than a State Director), Finance Office or National Office, the processing/servicing official completes and submits FmHA Guide Letter 1900-D-2 (available in any FmHA office) to the State Director in the normal manner. The

State Director reviews the information, determines the need for special handling, designates the processing/servicing official, completes and submits FmHA Guide Letter 1900-D-3 (available in any FmHA office) to the Administrator for written concurrence. When the Administrator's concurrence is received, the State Director returns completed FmHA Guide Letter 1900-D-3 to the original official who completes the action described in paragraph (c) of this section.

(f) *Relationship or association with a State Director.* If an identified relationship or association is with a State Director, the processing/servicing official completes and submits FmHA Guide Letter 1900-D-2 (available in any FmHA office) to the Administrator. The Administrator reviews, determines the need for special handling, designates the processing/servicing official, completes and returns FmHA Guide Letter 1900-D-3 (available in any FmHA office) to the original official who completes the action described in paragraph (c) of this section.

(g) *Change in relationship or association, status of FmHA assistance, or employee's duty station.* If the relationship or association has changed, the application denied or the assistance otherwise terminated, or the FmHA employee's duty station changed, the designated processing/servicing official completes FmHA Guide Letter 1900-D-2 (available in any FmHA office) with the new information and submits it. The review process takes place as described in paragraphs (a) through (e) of this section to determine if processing/servicing activity may return to normal or requires another change. If the assistance is denied or otherwise terminated, the designated official notifies the original official.

§ 1900.154 Determining the need for special handling.

The State Director (or Administrator, under § 1900.153(e) or § 1900.155(a) of this subpart):

(a) [Reserved]

(b) determines whether the reported relationship or association is defined in § 1900.152 of this subpart and would violate the provisions of § 1900.151(a) of this subpart.

(c) [Reserved]

(d) [Reserved]

(e) [Reserved]

(f) [Reserved]

§ 1900.155 Designating the processing/servicing official.

(a) *Designating an official with equivalent authority.* The State Director (or Administrator, under § 1900.253(e)

of this subpart or this paragraph) designates a nonrelated or nonassociated FmHA official authorized to conduct the activity under program regulations, established delegation of authority and approval authority under subpart A of part 1901 of this chapter, and whose duty station is most convenient to the recipient and to the security property. A type and/or amount of assistance processed or serviced by a County Supervisor or at a County Office should be assigned only to another County Supervisor or County Office. A type and/or amount of assistance processed or serviced by a District Director or at a District Office should be assigned only to another District Director or District Office.

(b) *County Committee.* For processing or servicing decisions to be made by a County Committee, if the recipient is a member, a different County Committee is designated. If the recipient is related to or associated with the member, notwithstanding the provisions of § 1900.151(a)(3) of this subpart, the State Director may permit the decision to be made by the local committee, if the related/associated member abstains.

(c) [Reserved]

§ 1900.156 Special handling—processing.

(a) [Reserved]

(b) *Eligibility determination.* The designated processing official reviews the application and develops additional data as necessary. Upon determination of whether the assistance will be provided, the designated processing official notifies the applicant of the decision in writing under program regulations, subpart A of part 1910 of this chapter, and subpart B of part 1900. If the determination is favorable, unless otherwise designated, the complete application is returned to the original processing official for docket preparation. If the determination is unfavorable, the designated processing official as decisionmaker participates in the appeal process to its conclusion.

(c) [Reserved]

(d) [Reserved]

(e) [Reserved]

(f) *Closing agent.* Unless there is a clear or apparent conflict of interest, closing will be at a location and by a closing agent chosen by the recipient.

(g) *Supervised bank account.* Unless there is a clear or apparent conflict of interest, any supervised bank account (or construction account) is established at a financial institution chosen by the recipient under subpart A of part 1902 of this chapter. Countersignature authority is delegated only to a nonrelated or nonassociated FmHA official.

(h) *Construction inspection.* Construction inspections are delegated to a nonrelated or nonassociated employee authorized to conduct inspections, whose duty station is nearest the construction site. The designated processing/servicing official notifies the builder (or architect/engineer) in writing of how and from whom to request inspections.

§§ 1900.157-1900.200 [Reserved]

PART 1901—PROGRAM-RELATED INSTRUCTIONS

Subpart A—Loan and Grant Approval Authorities

7. The authority citation for part 1901 continues to read as follows:

Authority: 42 U.S.C. 1480, 7 U.S.C. 1819, 5 U.S.C. 301; sec. 10, Pub.L. 93-357, 88 Stat. 392; Title II of the Emergency Agricultural Adjustment Act of 1978, 92 Stat. 429, 7 CFR 2.23; 7 CFR 2.70.

8. Section 1901.2 is amended by adding new text after the first sentence to read as follows:

§ 1901.2 Policy.

* * * Assistance to FmHA employees, members of their families, close relatives or business or close personal associates is subject to the provisions of subpart D of part 1900 of this chapter. * * *

PART 1910—GENERAL

9. The authority citation for part 1910 continues 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.

Subpart A—Receiving and Processing Applications

10. Section 1910.3(a)(7) is added to read as follows:

§ 1910.3 Receiving applications.

* * * * *

(a) * * *

(7) Applicants are asked to identify any known relationship or association with an FmHA employee when completing the application. When there is a relationship or association, the processing official must complete the action required under subpart D of part 1900 of this chapter.

* * * * *

11. Section 1910.4 introductory text is amended by adding the following language at the end of the paragraph:

§ 1910.4 Processing applications.

* * * Applications of FmHA employees, members of their families, close relatives, or business or close

personal associates are processed according to subpart D of part 1900 of this chapter.

* * * * *

PART 1941—OPERATING LOANS

12. The authority citation for part 1941 continues to read as follows:

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

Subpart A—Operating Loan Policies, Procedures, and Authorizations

13. Section 1941.1 is amended by adding new text after the fourth sentence to read as follows:

§ 1941.1 Introduction.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

PART 1942—ASSOCIATIONS

14. The authority citation for part 1942 continues to read as follows:

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

Subpart A—Community Facility Loans

15. Section 1942.1(a) is amended by adding the following language at the end of the paragraph:

§ 1942.1 General.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

* * * * *

Subpart C—Fire and Rescue Loans

16. Section 1942.101 is amended by adding new text after the first sentence to read as follows:

§ 1942.101 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or

business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart G—Rural Business Enterprise Grants and Television Demonstration Grants

17. Section 1942.301 is amended by adding the following language at the end of the paragraph:

§ 1942.301 Purposes.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

Subpart H—Development Grants for Community Domestic Water and Waste Disposal Systems

18. Section 1942.351(a) is amended by adding new text after the first sentence to read as follows:

§ 1942.351 General.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to Farmers Home Administration (FmHA) employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

* * * * *

Subpart I—Resource Conservation and Development (RCD) Loans and Watershed (WS) Loans and Watershed Advances

19. Section 1942.402(a) is amended by adding new second and third sentences to read as follows:

§ 1942.402 Policy.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify

any known relationship or association with an FmHA employee. * * *

Subpart J—Technical Assistance and Training Grants

20. Section 1942.451 is amended by adding the following language at the end of the paragraph:

§ 1942.451 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to Farmers Home Administration (FmHA) employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

Subpart K—Emergency Community Water Assistance Grants

21. Section 1942.501(a) is amended by adding the following language at the end of the paragraph:

§ 1942.501 General.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION

22. The authority citation for part 1943 continues to read as follows:

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

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

23. Section 1943.1 is amended by adding new text after the third sentence to read as follows:

§ 1943.1 Introduction.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for

this assistance are required to identify any known relationship or association with an FmHA employee. * * *

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

24. Section 1943.51 is amended by adding new text after the second sentence to read as follows:

§ 1943.51 Introduction.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

PART 1944—HOUSING

25. The authority citation for part 1944 is revised to read as follows:

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

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

26. Section 1944.1 is amended by adding the following language at the end of the paragraph:

§ 1944.1 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

§ 1944.37 [Amended]

27. In § 1944.37 paragraph (f) is amended by changing the reference “§ 1944.10(g)(4)” to “§ 1944.10(i)(4),” and paragraph (g) is amended by adding the words “of subpart G of part 1951” following “§ 1951.314.”

28. Section 1944.39 is revised to read as follows:

§ 1944.39 RH loans to FmHA employees and loan closing officials.

FmHA employees, County Committee members, and loan closing agents, or members of their families may obtain a section 502 RH loan subject to the provisions of this subpart and the following conditions:

(a) Written evidence indicating the applicant's inability to obtain the needed credit elsewhere will be included in the application.

(b) Applications will be processed and loans will be serviced according to subpart D of part 1900 of this chapter.

(c) Loans, credit sales, or assumption agreements will not be approved for any of the following purposes:

- (1) Buying FmHA inventory property.
- (2) Buying FmHA security property from a borrower.
- (3) Buying FmHA security property at foreclosure sale.

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

29. Section 1944.151 is amended by adding the following language at the end of the paragraph:

§ 1944.151 Purpose.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

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

30. Section 1944.201 is amended by adding the following language at the end of the paragraph:

§ 1944.201 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

Subpart I—Self-Help Technical Assistance Grants

31. Section 1944.401 is amended by adding new text after the first sentence to read as follows:

§ 1944.401 Objective.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or

business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart J—Section 504 Rural Housing Loans and Grants

32. Section 1944.451 is amended by adding new second and third sentences to read as follows:

§ 1944.451 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart K—Technical and Supervisory Assistance Grants

33. Section 1944.501 is amended by adding new text after the first sentence to read as follows:

§ 1944.501 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart N—Housing Preservation Grants

34. Section 1944.651(a) is amended by adding new text after the first sentence to read as follows:

§ 1944.651 General.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to Farmers Home Administration (FmHA) employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

* * *

PART 1945—EMERGENCY

35. The authority citation for part 1945 continues to read as follows:

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

Subpart C—Economic Emergency Loans

36. Section 1945.101(a) is amended by adding the following language at the end of the paragraph:

§ 1945.101 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart D—Emergency Loan Policies, Procedures and Authorizations

37. Section 1945.151(a) is amended by adding the following language at the end of the paragraph:

§ 1945.151 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

PART 1948—RURAL DEVELOPMENT

38. The authority citation for part 1948 continues to read as follows:

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

Subpart B—Section 601—Energy Impacted Area Development Assistance Program

39. Section 1948.51 is amended by adding the following language at the end of the paragraph:

§ 1948.51 General.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is

subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

Subpart C—Intermediary Relending Program (IRP)

40. Section 1948.101(a) is amended by adding the following language at the end of the paragraph:

§ 1948.101 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

PART 1951—SERVICING AND COLLECTIONS

41. The authority citation for part 1951 continues to read as follows:

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

Subpart S—Farmer Programs Account Servicing Policies

42. Section 1951.901 is amended by adding the following language at the end of the paragraph:

§ 1951.901 Purpose.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

PART 1980—GENERAL

43. The authority citation for part 1980 continues 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; Pub. L. 100-387; Pub. L. 101-82.

Subpart B—Farmer Program Loans

44. Section 1980.101(a) is amended by adding new text after the fourth sentence to read as follows:

§ 1980.101 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this

subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart C—Emergency Livestock Loans

45. Section 1980.201(a) is amended by adding new text after the first sentence to read as follows:

§ 1980.201 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

46. In § 1980.207, the introductory text is revised to read as follows:

§ 1980.207 Definition.

The following general definitions are applicable to this subpart. Additional definitions may be found in § 1980.6 of subpart A of this part.

Subpart D—Rural Housing Loans

47. Section 1980.301(a) is amended by adding the following language at the end of the paragraph:

§ 1980.301 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart E—Business and Industrial Loan Program

48. Section 1980.401(a) is amended by adding the following language at the end of the paragraph:

§ 1980.401 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart F—Economic Emergency Loans

49. Section 1980.501(a) is amended by adding new text after the first sentence to read as follows:

§ 1980.501 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart G—Nonprofit National Corporations Loan and Grant Program

50. Section 1980.601 is amended by adding the following language at the end of the paragraph:

§ 1980.601 Purpose.

* * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee.

Subpart I—Community Programs Guaranteed Loans

51. Section 1980.801(a) is amended by adding the following language at the end of the paragraph:

§ 1980.801 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of

part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Subpart J—Agricultural Resource Conservation Demonstration Program

52. Section 1980.901(a) is amended by adding the following language at the end of the paragraph:

§ 1980.901 Introduction.

(a) * * * Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA employee. * * *

Dated: November 18, 1992.

La Verne Ausman,

Administrator, Farmers Home Administration.

[FR Doc. 93-21 Filed 1-4-93; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

[Docket No. 27101]

High Density Traffic Airports; Slot Allocation and Transfer Methods

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Statement of policy; denial of petition for exemption.

SUMMARY: This policy statement and denial of petition are issued in response to a petition for exemption filed with the Federal Aviation Administration (FAA) on December 22, 1992, by the Air Transport Association (ATA) on behalf of 11 of its members. In its petition, ATA requests a 90-day exemption for its member air carriers operating at any of the high density traffic airports from the increased slot usage requirement or, in the alternative, a delay of the effective date of the final rule that will require the higher minimum slot usage of 80 percent effective January 1, 1993. This action denies ATA's petition to grant either a 90-day exemption or delay the effective date of the higher minimum slot usage requirement. Also, this action