

writing, must include the claimant's name, address, date of birth, Social Security number, name of carrier, reason(s) for the request, and, if applicable, retirement claim number.

(2) The reconsideration review must be an independent review designated at or above the level at which the initial decision was rendered.

(d) *Time limit.* A request for reconsideration of an initial decision must be filed within 30 calendar days from the date of the written decision stating the right to a reconsideration. The time limit on filing may be extended when the individual shows that he or she was not notified of the time limit and was not otherwise aware of it, or that he or she was prevented by circumstances beyond his or her control from making the request within the time limit. An agency or retirement system decision in response to a request for reconsideration of an employing office's decision is a final decision as described in paragraph (e) of this section.

(e) *Final decision.* After reconsideration, the agency or retirement system must issue a final decision, which must be in writing and must fully set forth the findings and conclusions.

[FR Doc. 94-31643 Filed 12-23-94; 8:45 am]
BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Consolidated Farm Service Agency

7 CFR Chapter VII

Agency Name Change

AGENCY: Consolidated Farm Service Agency, USDA.

ACTION: Correction to Final Rule.

SUMMARY: This document contains corrections to the final regulations published Wednesday, November 23, 1994 (59 FR 60297), which abolished the Agricultural Stabilization and Conservation Service and established the Farm Service Agency.

EFFECTIVE DATE: November 23, 1994.

FOR FURTHER INFORMATION CONTACT: Tom Witzig, CFSA, USDA, P.O. Box 2415, Washington, D.C. 20013-2415; telephone 202-205-5851.

SUPPLEMENTARY INFORMATION:

Background

The Secretary of Agriculture announced that the agency previously referred to as the Farm Service Agency (FSA) is to be named the Consolidated Farm Service Agency (CFSA).

Correction of Final Rule

Accordingly, the final rule published on November 23, 1994, at 59 FR 60297 is corrected as follows:

Paragraph 1. On page 60299, in the second column, following amendatory instruction 1., the heading of 7 CFR chapter VII is corrected to read as follows:

CHAPTER VII—CONSOLIDATED FARM SERVICE AGENCY, DEPARTMENT OF AGRICULTURE

Para. 2. In amendatory instruction 2., "Farm Service Agency" is corrected to read "Consolidated Farm Service Agency", and "FSA" is corrected to read "CFSA".

Para. 3. All other references in the document (including the amendments to Part 703) to "Farm Service Agency" or "FSA" are corrected to read "Consolidated Farm Service Agency" or "CFSA", respectively.

Signed at Washington, DC on December 19, 1994.

Grant Buntrock,

Acting Administrator, Consolidated Farm Service Agency.

[FR Doc. 94-31605 Filed 12-23-94; 8:45 am]

BILLING CODE 3410-05-P-M

Rural Telephone Bank

Rural Utilities Service

7 CFR Parts 1600 and 1610 and Chapter XVII

Nomenclature Changes of Chapter and Part Headings and in Internal References

AGENCY: Rural Telephone Bank and Rural Utilities Service, USDA.

ACTION: Final rule.

SUMMARY: The Rural Telephone Bank (RTB) and the Rural Utilities Service (RUS) hereby amend the regulations originally published by the Rural Electrification Administration (REA) and by the RTB. These amendments revise nomenclature in order to implement recent legislation directing the Secretary of Agriculture to establish the Rural Utilities Service (RUS), with responsibility for the electric and telephone loan programs formerly administered by REA, including loan programs of the RTB. Nomenclature changes to regulations affecting other programs administered by RUS, including water and waste facility loan and grant programs and certain other programs previously administered by the former Rural Development Administration and the former Farmers Home Administration will be published

separately. The amendments published in this document consist solely of nomenclature changes required by law and of amendments necessary to conform to these nomenclature changes. The substance of the regulations is not affected by these amendments.

EFFECTIVE DATE: December 27, 1994.

FOR FURTHER INFORMATION CONTACT: Sue Arnold, Financial Analyst, Program Support Staff, Rural Utilities Service, room 2234, South Building, U.S. Department of Agriculture, Washington, DC 20250-1500, telephone number 202-720-0736; FAX 202-720-4120.

SUPPLEMENTARY INFORMATION:

Background

The Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354, 108 Stat. 3178) (Reorganization Act) signed by President Clinton on October 13, 1994, provides for a streamlining and reorganizing of the Department of Agriculture (Department). The Reorganization Act requires the Secretary of Agriculture (Secretary) to establish the Rural Utilities Service (RUS) within the Department. On October 20, 1994, the Secretary of Agriculture (Secretary), in Secretary's Memorandum 1010-1, abolished the Rural Electrification Administration (REA) and established RUS, as required by the Reorganization Act.

The functions of RUS include, among other things, administration of the electric and telephone loan programs authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*) (RE Act) and of the water and waste facility loan and grant programs authorized by various laws. The rights, interests, obligations, duties, and assets of REA have been vested in and transferred to RUS.

In order to enhance the delivery of customer services, provide continuity of service, and minimize public confusion about the administration and functions of the newly established agency, RUS is amending regulations originally published by REA and by the Rural Telephone Bank (RTB) to replace references to REA and its officials with references to RUS and to officials of the newly established agency. A few definitions are being revised to conform with the new nomenclature. Additional regulations implementing other aspects of the reorganization of the Department of Agriculture will be published at a later date.

Since this action relates solely to agency organization, procedure, or practice, notice and comment is not

required prior to publication of this final rule. This final rule is published in accordance with the Reorganization Act.

In order to provide continuity of references, facilitate the orderly transfer of functions from REA to RUS, and ensure the timely execution of RUS functions, this rule is effective immediately.

Accordingly, under the authority of the Under Secretary for Rural Economic and Community Development, title 7 of the Code of Federal Regulations is amended as follows:

CHAPTER XVI—RURAL TELEPHONE BANK

PARTS 1600 AND 1610—[AMENDED]

1. Parts 1600 and 1610 are amended by revising the authority citation for each part to read as follows:

Authority: 7 U.S.C. 941 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1610—[AMENDED]

2. In part 1610, all references to "Rural Electrification Administration" and "REA" are revised to read "Rural Utilities Service" and "RUS," respectively.

3. Section 1610.2 is amended by revising the definition of "RUS" (formerly "REA"), and adding a new definition of "REA" in alphabetical order to read as follows:

§ 1610.2 Definitions.

* * * * *

REA means the Rural Electrification Administration, formerly an agency of the United States Department of Agriculture and predecessor agency to RUS with respect to administering certain electric and telephone loan programs.

RUS means the Rural Utilities Service, an agency of the United States Department of Agriculture established pursuant to Section 232 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354, 108 Stat. 3178), successor to REA with respect to administering certain electric and telephone programs. See 7 CFR 1700.1.

* * * * *

PART 1700—[AMENDED]

4. Part 1700 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*); 7 U.S.C. 1921 *et seq.*; 5 U.S.C. 301, 552; 7 CFR 1.1-1.16.

PART 1703—[AMENDED]

5. Part 1703 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.* and 950aaa *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1710—[AMENDED]

6. Part 1710 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Pub. L. 99-591, 100 Stat. 3341; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1712—[AMENDED]

7. Part 1712 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1714—[AMENDED]

8. Part 1714 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Pub. L. 99-591, 100 Stat. 3341; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1717—[AMENDED]

9. Part 1717 is amended by revising the authority citation for the part to read as follows:

Authority: 7 U.S.C. 901-950(b); Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*), unless otherwise noted.

10. Subpart N of part 1717 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*); Title I, Subtitle D, sec. 1402, Omnibus Budget Reconciliation Act of 1987, Pub. L. 100-203.

PART 1719—[AMENDED]

Part 1719 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PARTS 1721, 1724, 1726, 1728, 1735, 1737, 1739, 1744, 1746, 1751, 1753, 1755, 1767, 1770, 1773, 1788—[AMENDED]

12. Parts 1721, 1724, 1726, 1728, 1735, 1737, 1739, 1744, 1746, 1751, 1753, 1755, 1767, 1770, 1773, and 1788, are amended by revising the authority citation for each part to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; 7 U.S.C. 1921 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1785—[AMENDED]

13. Part 1785 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Title I, Subtitle D, sec. 1403, Omnibus Budget Reconciliation Act of 1987, Pub. L. 100-203; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

PART 1786—[AMENDED]

14. Part 1786 is amended by revising the authority citation for the part to read as follows:

Authority: 7 U.S.C. 901-950(b); Title I, subtitle B, Pub. L. 99-509; Pub. L. 101-624, 104 Stat. 4051; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*), unless otherwise noted.

15. Subpart B of part 1786 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Title I, Subtitle B, Pub. L. 99-509; Title I, Pub. L. 100-202; Pub. L. 100-203; Title VI, Pub. L. 100-460; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

16. Subpart C of part 1786 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Title I, Subtitle B, Pub. L. 99-509; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

17. Subpart D of part 1786 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901-950(b); Pub. L. 99-591, Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

18. Subpart F of part 1786 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

19. Subpart G of part 1786 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*); sec. 1201(b) of subtitle B of title 1 of Pub. L. 103-66, 107 Stat. 312.

PART 1792—[AMENDED]

20. Part 1792 is amended by revising the authority citation to read as follows:

Authority: 7 U.S.C. 901 *et seq.*; 42 U.S.C. 7701 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*); E.O. 12699 (3 CFR, 1990 Comp., p. 269).

PART 1794—[AMENDED]

21. Part 1794 is amended by revising the authority citation to read as follows:

Authority: National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*).

Pub. L. 103-354, 108 stat. 3178 (7 U.S.C. 6941 et seq.); Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500-1508); Executive Order (EO) 11988, Floodplain Management; and EO 11990, Protection of Wetlands.

22. The heading of 7 CFR Chapter XVII is revised to read as follows:

CHAPTER XVII—RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE

23. In 7 CFR Chapter XVII all references to "Rural Electrification Administration," "REA," and "Small Community and Rural Development" are revised to read "Rural Utilities Service," "RUS," and "Rural Economic and Community Development," respectively.

PART 1700—[AMENDED]

24. Section 1700.1 is revised to read as follows:

§ 1700.1 General.

(a) The Rural Electrification Administration (REA) was established by Executive Order No. 7037, signed by the President on May 11, 1935. Statutory authority was provided by the Rural Electrification Act of 1936 (RE Act) (49 Stat. 1363; 7 U.S.C. 901). The RE Act established REA as a lending agency with responsibility for developing a program for rural electrification.

(b) On October 28, 1949, an amendment to the RE Act authorized REA to make loans to improve and extend telephone service in rural areas. The Rural Telephone Bank (RTB or the Bank), an Agency of the United States, was established by another amendment to the RE Act, approved May 7, 1971. The Administrator of RUS serves as the Bank's chief executive with the title of Governor. On May 11, 1973, the RE Act was further amended to establish a revolving fund and to provide authority for REA to guarantee loans made by other legally organized lenders. The RE Act was amended further on December 21, 1987, to establish a Rural Economic Development Subaccount, and to authorize funds from this subaccount to provide zero-interest loans and grants to REA borrowers to promote rural economic development and job creation. The RE Act was also amended on November 5, 1990, to add a new section 314, which authorized REA to guarantee 90 percent of the principal and interest of loans made for electric and telephone facilities by legally organized lenders. It was further amended on November 28, 1990, to establish an Assistant Administrator for Economic

Development and a rural development technical assistance unit; to expand the authorities and responsibilities of REA in rural economic development; and to establish a Rural Business Incubator Fund for making grants and reduced interest loans to electric and telephone borrowers to promote business incubator projects. At the same time, the Administrator was also granted authority for financial assistance for distance learning and medical link programs.

(c) The Secretary of Agriculture (Secretary) was required to establish the Rural Utilities Service (RUS) pursuant to section 232 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994, (Pub. L. 103-354, 108 Stat. 3178) (Reorganization Act). The Reorganization Act established RUS as successor to REA. On October 20, 1994, the Secretary abolished REA and established RUS. RUS was assigned responsibility for administering electric and telephone loan programs previously administered by REA, water and waste facility loans and grants previously administered by the Rural Development Administration, along with other functions as the Secretary determines appropriate. The rights, interests, obligations, duties, and contracts previously vested in REA are transferred to and vested in RUS. The Secretary designated the Administrator of RUS to serve as the Governor of RTB.

(d) The offices of RUS are located in the South Building of the United States Department of Agriculture at 14th and Independence Avenue, SW., Washington, DC 20250-1500. The Electric and Telephone Programs are administered by regional offices located at this same address. There is a Northern and a Southern Regional Office, along with a Power Supply Division, for the electric program, and an Eastern and a Western Regional Office for the telephone program. (See § 1700.4(b) and § 1700.5(b).)

§ 1703.12, 1703.102, 1703.302, 1710.2, 1717.302, 1717.352, 1744.201, 1767.10, 1773.3, 1786.27, 1786.77, 1786.96, 1786.201, 1792.102 [Amended]

25. Sections 1703.12, 1703.102, 1703.302, 1710.2, 1717.302, 1717.352, 1744.201, 1767.10, 1773.3, 1786.27, 1786.77, 1786.96, 1786.201, and 1792.102 are amended by revising, in each section, the definition for "RUS" (formerly "REA"), placing all definitions in alphabetical order, and adding a new definition for "REA" in alphabetical order to read as follows:

* * * * *

REA means the Rural Electrification Administration formerly an agency of the United States Department of Agriculture and predecessor agency to RUS with respect to administering certain electric and telephone loan programs.

* * * * *

RUS means the Rural Utilities Service, an agency of the United States Department of Agriculture established pursuant to Section 232 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354, 108 Stat. 3178), successor to REA with respect to administering certain electric and telephone programs. See 7 CFR 1700.1.

* * * * *

26. Section 1710.3 is revised to read as follows:

§ 1710.3 Form and bulletin revisions.

References in this part to RUS or REA forms or line numbers in RUS or REA forms are based on RUS or REA Form 7 and Form 12 dated December 1992, unless otherwise indicated. These references will apply to corresponding information in future versions of the forms. The terms "RUS form", "RUS standard form", "RUS specification", and "RUS bulletin" have the same meanings as the terms "REA form", "REA standard form", "REA specification", and "REA bulletin", respectively, unless otherwise indicated.

§§ 1726.300, 1755.93, 1755.97, 1755.98 [Amended]

27. Sections 1726.300, 1755.93, 1755.97, and 1755.98 are amended by adding a sentence at the end of the introductory paragraph of each to read as follows:

* * * The terms "RUS form", "RUS standard form", "RUS specification", and "RUS bulletin" have the same meanings as the terms "REA form", "REA standard form", "REA specification", and "REA bulletin", respectively, unless otherwise indicated.

* * * * *

§ 1728.97 [Amended]

28. Section 1728.97 is amended by adding a sentence at the end of paragraph (a) to read as follows:

§ 1728.97 Incorporation by reference of electric standards and specifications.

(a) * * * The terms "RUS form", "RUS standard form", "RUS specification", and "RUS bulletin" have the same meanings as the terms "REA form", "REA standard form", "REA

specification", and "REA bulletin", respectively unless otherwise indicated.

* * * * *

§§ 1735.3, 1737.3 [Amended]

29. Sections 1735.3, 1737.3 are amended by adding a sentence at the end of each to read as follows:

* * * The terms "RUS form", "RUS standard form", and "RUS specification" have the same meanings as the terms "REA form", "REA standard form", and "REA specification", respectively, unless otherwise indicated.

§ 1786.51 [Amended]

30. Section 1786.51 is amended by removing the paragraph designations, revising the definition "RUS" (formerly "REA") and adding a new definition of "REA" in alphabetical order to read as follows:

* * * * *

REA means the Rural Electrification Administration formerly an agency of the United States Department of Agriculture and predecessor agency to RUS with respect to administering certain electric and telephone loan programs.

RUS means the Rural Utilities Service, an agency of the United States Department of Agriculture, established pursuant to Section 232 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (Pub. L. 103-354, 108 Stat. 3178), successor to REA with respect to administering certain electric and telephone programs. See 7 CFR 1700.1.

* * * * *

Dated: December 18, 1994.

Bob J. Nash,

Under Secretary, Rural Economic and Community Development.

[FR Doc. 94-31520 Filed 12-23-94; 8:45 am]

BILLING CODE 3410-15-P

Rural Housing and Community Development Service

Rural Business and Cooperative Development Service

Rural Utilities Service

Consolidated Farm Service Agency

7 CFR Chapter XVIII and Part 1943

RIN 0575-AB74

Small Farmer Outreach Training and Technical Assistance Program

AGENCIES: Rural Housing and Community Development Service, Rural Business and Cooperative Development Service, Rural Utilities Service, and

Consolidated Farm Service Agency, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: The Consolidated Farm Service Agency (CFSA) is the successor to the Farmers Home Administration pursuant to Section 226 of the Federal Crop Insurance Reform Act of 1994 (Pub. Law 103-354, 108 Stat. 3178, October 13, 1994). The CFSA is establishing a regulation whereby under the procedures of the Small Farmer Outreach Training and Technical Assistance Program and the Outreach and Assistance Grants for Socially Disadvantaged Farmers and Ranchers Program, an 1890 Land Grant Institution or other eligible educational institution or community-based organization could enter into a cooperative or other agreement with CFSA to provide outreach, training, and technical assistance to small-scale farmers, especially members of socially disadvantaged groups. This action is necessary to implement the provisions in the Food, Agriculture, Conservation, and Trade Act of 1990, title XXV, Section 2501 and the U.S. Department of Agriculture (USDA) appropriation acts which provide funding for this program. The intended effect of this action is to assist small farmers and socially disadvantaged farmers and ranchers by making them aware of programs available through the USDA. In addition, this rule amends 7 CFR chapter XVIII to reflect the abolishment of the Farmers Home Administration and the Rural Development Administration and the establishment of the Rural Housing and Community Development Service, the Rural Business and Cooperative Development Service, the Rural Utilities Service, and the Consolidated Farm Service Agency in the recent Department of Agriculture reorganization.

DATES: Interim rule effective December 27, 1994. Comments must be received by February 27, 1995.

ADDRESSES: Submit written comments, in duplicate, to the Office of the Chief, Regulations Analysis and Control Branch, Rural Economic and Community Development (RECD), U.S. Department of Agriculture, Room 6348, South Agriculture Building, Washington, D.C. 20250. All written comments made pursuant to this notice will be available for public inspection during regular working hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Just-Buddy, National Project Coordinator, Special Programs Unit, or

Geraldine Herring, Program Analyst, Farmer Programs, Consolidated Farm Service Agency, USDA, room 4929, South Agriculture Building, 14th and Independence Avenue, S.W., Washington, D.C. 20250, Telephone (202) 720-1636.

SUPPLEMENTARY INFORMATION:

Classification

This rule has been determined to be not-significant for purposes of Executive Order 12866 and therefore has not been reviewed by OMB.

Intergovernmental Consultation

For reasons set forth in the final rule related to Notice 7 CFR, part 3015, subpart V (48 FR 29115, June 24, 1983) and FmHA Instruction 1940-J, this program is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

Paperwork Reduction Act

The information collection requirements contained in § 1943.111 have been approved by the Office of Management and Budget (OMB) and have been assigned OMB control number 0575-0156, under the provisions of 44 U.S.C. Chapter 35. The remaining information collection and recordkeeping requirements contained in this regulation will not become effective until approved by OMB, in accordance with the Paperwork Reduction Act of 1980. Please send written comments to the Office of Information Regulatory Affairs, OMB, Attention: Desk Officer for USDA, Washington, D.C. 20503. Please send a copy of your comments to Jack Holston, Agency Clearance Officer, USDA, RECD, Ag Box 0743, Washington, D.C. 20250.

Civil Justice Reform

This document has been reviewed in accordance with Executive Order (E.O.) 12778. It is the determination of CFSA that this action does not unduly burden the Federal Court System in that it meets all applicable standards provided in section 2 of the Executive Order.

Programs Affected

This action affects the following programs as listed in the Catalog of Federal Domestic Assistance:

- 10.406—Farm Operating Loans
- 10.407—Farm Ownership Loans

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, "Environmental Program." It is the determination of CFSA 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.

Background

In July 1993, Farmers Home Administration (FmHA) initiated, under Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990, the Outreach and Assistance Grants for Socially Disadvantaged Farmers and Ranchers program. The program was established by an internal funds transfer, in the amount of \$1 million received on August 13, 1993, from Extension Service.

A Notice was published in the *Federal Register* on July 2, 1993, [58 FR 35911-35914], Outreach and Assistance Grants for Socially Disadvantaged Farmers and Ranchers, and no adverse comments were received. The Notice was to solicit recipients and give guidance to eligible applicants on submitting proposals for the program.

Discussion of Interim Rule

Outreach and Assistance Grants for Socially Disadvantaged Farmers and Ranchers is authorized under Section 2501 of the Food Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279). Three million dollars will remain available until expended. It was the intent of Congress to have funds available to provide outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and to participate in agricultural programs. This assistance should enable socially disadvantaged farmers and ranchers to obtain information on application and bidding procedures, farm management, and other essential information to participate in agricultural programs.

The definition of Agricultural programs contained in 1943.104 of this subpart is based on the programs authorized by the statutes referenced in Section 2501 (e)(3) of the FACT Act. As authorized by Section 2501 (e)(3)(G), FmHA has designated additional USDA programs as Agricultural program based on its belief that the participation of socially disadvantaged farmers and ranchers in these programs will serve an important public purpose. The definition of Agricultural program references many of USDA's programs, however, the list is not intended to be all inclusive. Rather, the regulation intends to increase participation by socially disadvantaged farmers and ranchers in all USDA programs which

are agricultural in nature. However, because the program is carried out by CFSA employees, the outreach efforts by CFSA personnel to recipients will require the personnel to provide information about CFSA agricultural loans only until such time as information on the other USDA agricultural programs becomes available.

Need for the Interim Rule:

- To implement, this year, a program that directly addresses the decline of minority farmers and ranchers.

- To immediately put into effect what is a clear and pressing goal of the Administration. On November 1, 1993, President Clinton issued Executive Order 12876, that directs the Government to support Historically Black Colleges and Universities (HBCU's) and to provide opportunities to participate in and benefit from federal programs. These institutions are a major beneficiary of this funding.

- In addition, under Section 2501, Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers, non-HBCU's entities, i.e., Indian Tribal community colleges and Hispanic serving post-secondary educational institutions will be in the population served.

- To allow funds to be used in FY 95 that will provide assistance in advance of planting and building for the upcoming crop year.

- The application of this program will help in development of the components in the '95 Farm Bill aimed at stabilizing socially disadvantaged family farmers.

- As services are consolidated and agencies change as a result of reorganization of USDA, the socially disadvantaged population, whom these funds are targeted at, will be able to receive the necessary assistance to understand and gain access to the newly reorganized USDA.

It is the policy of this Department that rules relating to public property, loans, grants, benefits, or contracts will be published for comment not withstanding the exemption of 5 U.S.C. 553. However, the Department is publishing this rule as an interim rule which will take effect immediately upon publication in the *Federal Register* without securing prior public comment.

The Agency is taking this action because the funds which will be distributed in the fiscal year 1995 are not being distributed under a typically new action or proposal which will affect the public. Rather the funds will go to organizations whose five years' plans were selected for funding pursuant to the July 2, 1993, Notice so that the

organizations can continue to provide information and assistance to socially disadvantaged farmers and ranchers. Moreover, since that Notice provided the criteria for obtaining funding, the organizations which are affected by this action (which contains similar requirements) have actual notice of the applicable standards.

Organizations whose proposals were not selected for funding in 1993 and organizations submitting new proposals are not immediately affected by this action because they will not receive funding in this fiscal year. Also, these organizations will have the opportunity to comment on the interim rule because their comments will be considered before any truly new money could be distributed in the fiscal year 1996. Only \$3,000,000 was appropriated for this program for the fiscal year 1994, and \$2,995,000 for the fiscal year 1995. The same amount may not be appropriated in subsequent years. However, it is the Agency's expectation that funds will be appropriated for this program either as a separate item or as part of the general appropriations for the Agency in the future years. Therefore, the interim rule establishes guidelines for administering the program for future years.

Program Description

1. The regulation being developed embodies the content of the original notice, published on July 2, 1993. The interested parties are fully aware of the procedures and standards intended for this program.

2. The program's objective is to reverse, through the use of the Outreach Training and Technical Assistance Program, the decline of socially disadvantaged farmers and ranchers across the United States.

- This outcome will be reached by encouraging and assisting socially disadvantaged farmers and ranchers to own and operate their own farms, participate in agricultural programs, and become an integral part of the agricultural community.

- The recipients of these grants will provide services to socially disadvantaged farmers and ranchers and small farmers through outreach training and technical assistance in farm and ranch management, recordkeeping, marketing techniques and in testing innovative solutions to existing or anticipated issues or problems they may encounter.

Under the interim rule, CFSA will solicit proposals, and five-year plans to be funded on a competitive basis. The solicitation is encouraged from community-based organizations, 1890

Land Grant colleges, including Tuskegee University, Indian Tribal Community Colleges and Alaska Native cooperative colleges, Hispanic serving post-secondary educational institutions, and other post-secondary educational institutions with demonstrated experience in providing agriculture education or other agricultural related services to socially disadvantaged family farmers and ranchers in their region.

The proposals will be evaluated by a panel of Agency technical experts to determine which proposals are most meritorious. The panel of Agency technical experts are necessary to evaluate what is expected to be a variety of very technical proposals. The evaluation panel will make recommendations to the appropriate Agency official to be forwarded to the Agency Head, who will consult with, if necessary, the Secretary of USDA before a final decision on awarding the grants or cooperative agreements is made.

To assure a consistency in the evaluation process the interim rule establishes a set of evaluation criteria to assure the proposal is consistent with the intent of the program and is worth the funds that are to be spent on the project.

The accounting for the funds awarded for the cooperative or other agreement will be subject to the normal rules for such agreements within USDA as given in part 3016 of this title. The proposed application format is used to assure that sufficient information is obtained to complete an agreement as given in part 3016 of this title. In addition, the application format is similar to that used by other USDA Agencies for their competitive grants programs.

List of Subjects in 7 CFR Part 1943

Credit, Loan Programs—Agriculture.

Accordingly, 7 CFR chapter XVIII and part 1943 are amended as follows:

1. The heading of 7 CFR chapter XVIII is revised to read as follows:

CHAPTER XVIII—RURAL HOUSING AND COMMUNITY DEVELOPMENT SERVICE, RURAL BUSINESS AND COOPERATIVE DEVELOPMENT SERVICE, RURAL UTILITIES SERVICE, AND CONSOLIDATED FARM SERVICE AGENCY, DEPARTMENT OF AGRICULTURE

2. In 7 CFR chapter XVIII (consisting of parts 1800–2099), everywhere “Farmers Home Administration”, “FmHA”, “FHA”, “Rural Development Administration”, or “RDA” are mentioned add the following immediately thereafter “or its successor agency under Public Law 103–354”.

PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION

3. The authority citation for part 1943 is revised to read as follows:

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

4. Subpart C of part 1943 is added to read as follows:

PART 1943—FARM, OWNERSHIP, SOIL AND WATER AND RECREATION

Subpart C—Small Farmer Outreach Training and Technical Assistance Program

Sec.

- 1943.101 General.
- 1943.102 Objectives.
- 1943.103 Project period.
- 1943.104 Definitions.
- 1943.105 Eligible entities.
- 1943.106–1943.110 [Reserved]
- 1943.111 Process for consideration.
- 1943.112–1943.114 [Reserved]
- 1943.115 Authorized use of funds.
- 1943.116–1943.125 [Reserved]
- 1943.126 Other applicable Federal statutes and regulations that apply.
- 1943.127 Fund disbursement.
- 1943.128 Financial management systems and reporting requirements.
- 1943.129–1943.135 [Reserved]
- 1943.136 Standards of conduct for employees of recipient.
- 1943.137 Monitoring compliance and penalty for noncompliance.
- 1943.138–1943.140 [Reserved]
- 1943.141 Nondiscrimination.
- 1943.142 Environmental requirements.
- 1943.143–1943.150 [Reserved]

§ 1943.101 General.

This subpart provides procedures for administration of the Small Farmer Outreach Training and Technical Assistance Program whereby an 1890 or other eligible educational institution or community-based organization as referenced in § 1943.105 of this subpart, also referred to as the recipient, enters into a grant, cooperative, or other agreement with the Consolidated Farm Service Agency (CFSA) to provide outreach, training, and technical assistance to members of socially disadvantaged groups to own and operate farms and ranches and to participate in agricultural programs.

§ 1943.102 Objectives.

To meet the objectives of the program referenced in paragraphs (a) and (b) of this section, CFSA will fund grant agreements, cooperative agreements, or enter into Memorandums of Understanding (MOU) with recipients as referenced in § 1943.105 of this subpart, for Small Farmer Outreach Training and Technical Assistance Projects which are determined to meet the objectives of the program:

(a) The long-term objective of the Small Farmer Outreach Training and Technical Assistance Program is to keep small farmers, especially those who are members of socially disadvantaged groups, on the farm and strengthen the rural economy.

(b) An immediate objective of the Small Farmer Outreach Training and Technical Assistance Program is to encourage and assist members of socially disadvantaged groups to own and operate farms and ranches and to participate in agricultural programs.

§ 1943.103 Project period.

A cooperative agreement or other agreement will specify a project for a period generally of 5 years, with an option for renewal up to the 5-year period, subject to the availability of funds or termination of the project by mutual agreement or for cause.

§ 1943.104 Definitions.

For the purpose of the Small Farmer Outreach Training and Technical Assistance Program, the following definitions are applicable:

Agricultural programs. Eligible programs shall include, but are not limited to, one or more of the following programs: Agricultural conservation program, programs comprising the environmental conservation acreage reserve program (ECARP), conservation technical assistance program, emergency conservation program, forestry incentives program, Great Plains Conservation Program, integrated farm management option program, price support and production adjustment programs, rural environmental conservation program, soil survey program, and water bank program; also the farm loan programs (farm ownership, operating, soil and water, and emergency loans) of the CFSA.

Awarding official. The Administrator of the CFSA or designee.

Community-based organization. Those nonprofit, nongovernment organizations with a well defined constituency that includes all or part of a particular community, e.g., communities consisting of socially disadvantaged farmers and ranchers. Socially disadvantaged farmers and ranchers must play a role in the development and implementation of any program or project undertaken by the organization.

Cooperative agreement. The same meaning as “grant,” except that, at the time a cooperative agreement is awarded, substantial involvement is anticipated between CFSA, acting for the Federal Government, and the recipient during performance under the

agreement. (Refer to Exhibit A of FmHA Instruction 1943-C (available in any State office).)

Grant. For purposes of this regulation, an award by CFSA, acting for the Federal Government, of money to the recipient with the following characteristics:

(1) The principal purpose of the award is to accomplish a public purpose authorized by statute, rather than acquisition, by purchase, lease, or barter, of property or services for the direct benefit or use of the Federal Government; and

(2) At the time an award is made, no substantial involvement is anticipated between CFSA, acting for the Federal Government, and the recipient.

Memorandum of Understanding (MOU). For purposes of this regulation, a documented plan between CFSA and the recipient or recipients for carrying out their separate activities in a project of mutual interest. When an understanding is reached as to the area of operations and duties to be performed by the parties concerned, each party directs its own activities and utilizes its own resources. An MOU is not a fund obligation document since it does not directly involve a financial assistance transaction.

Project. The total activities within the scope of the program as identified in the MOU, grant, cooperative or other agreement.

Project Director. The individual who is responsible for the project, as designated by the recipient in the project proposal and approved by the awarding official. The project director will devote full time to the administration of the project.

Project period. The total time approved by the awarding official for conducting the proposed project as outlined in an approved project proposal or the approved portions thereof and as specified in the cooperative or other agreement.

Recipient. For purposes of this subpart, an entity as defined in § 1943.105 of this subpart that has entered into an MOU, grant, or cooperative or other agreement with CFSA.

Socially disadvantaged farmer or rancher. A farmer or rancher who is a member of a socially disadvantaged group. (For entity applicants, the majority interest has to be held by socially disadvantaged individuals.)

Socially disadvantaged group. A group whose members have been subject to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. Socially

disadvantaged groups consist of Women, African-Americans, Native Americans, Alaskan Natives, Hispanics, Asians, and Pacific Islanders.

§ 1943.105 Eligible Entities.

(a) CFSA will consider proposals only from:

- (1) 1890 Land-Grant Colleges, including Tuskegee University.
- (2) Indian tribal community colleges.
- (3) Alaska native cooperative colleges.
- (4) Hispanic-serving post-secondary educational institutions.

(5) Other post-secondary educational institutions with demonstrated experience in providing agricultural education or other agriculturally-related services to socially disadvantaged farmers or ranchers in their region.

(6) Any community-based organization that:

(i) Has demonstrated experience in providing agricultural education or other agriculturally-related services to socially disadvantaged farmers and ranchers;

(ii) Provides documentary evidence of its past experience in working with socially disadvantaged farmers and ranchers during the 2 years preceding its application for assistance; and

(iii) Does not engage in activities prohibited under Section 501(c)(3) of the Internal Revenue Code of 1986.

(b) In addition to those entities referenced in paragraph (a) of this section, an applicant must:

(1) Have adequate financial resources for performance and the necessary experience, organizational and technical qualifications, and facilities or a firm commitment, arrangement, or ability to obtain same (including any to be obtained through subagreement(s));

(2) Have the ability to comply with the proposed or required completion schedule for the project;

(3) Have an adequate financial management system and audit procedures that provide efficient and effective accountability and control of all funds, property, and other assets;

(4) Have a satisfactory record of performance, including, in particular, any prior performance under grants, contracts, or cooperative agreements from the Federal Government; and

(5) Otherwise be qualified and eligible to receive funding for a grant agreement, cooperative agreement, or other agreement under the applicable laws and regulations.

§§ 1943.106–1943.110 [Reserved]

§ 1943.111 Process for consideration.

(a) A program solicitation will be published in the Federal Register and

such other publication(s) as deemed appropriate, as early as practicable every 5 years that funds will be available for new project use and at other appropriate times.

(b) The project proposal must contain the following information:

(1) *Background and need for the project.* Explain the circumstances which necessitate a Small Farmer Outreach Training and Technical Assistance Project within the State to serve small farmers, especially members of socially disadvantaged groups.

(2) *Objectives and goals proposed to meet the objectives.* Clearly state the objectives of the project, which should be in line with the objectives of the program stated in § 1943.102 of this subpart, and explain the goals proposed to meet the objectives.

(3) *Statement of Work, including staffing.* Describe the plan of action for meeting the objective of the Small Farmer Outreach Training and Technical Assistance Program and the necessary staffing.

(4) *Proposed budget.*

(i) Submit a proposed budget for each of the 5 years, showing line-by-line cost items for the proposed project. Include any in-kind contributions to be provided.

(ii) Show all funding sources and itemize costs by the following line items: personnel costs, equipment, material and supplies, travel, and all other costs.

(iii) Salaries of project personnel who will be working on the project may be requested in proportion to the effort that they will devote to the project.

(iv) Funds may be requested under any of the line items listed above provided that the item or source for which support is requested is identified as necessary for successful conduct of the project, is allowable under the authorizing legislation and applicable Federal cost principles, and is not prohibited under any applicable Federal statute.

(5) *Identification of personnel.* Incorporate into the proposal the resumes of all anticipated personnel, including the Project Director. Also discuss the experience, qualifications, and availability of all personnel, including the Project Director, to direct and carry out the project.

(c) The State Office will review the proposal and forward the proposal to the National Office Project Manager, within 15 days of receipt, with the State Office's recommendations.

(d) The National Office will make a preliminary review of the proposal and reserves the right to return it to the State Office with any questions or comments

to be clarified by the 1890 or other eligible educational institution or community-based organization. A time period for resubmission will be specified.

(e) All proposals from entities eligible for funding under § 1943.105 of this subpart shall be evaluated for funding consideration. To assist in the evaluation and obtain the best possible balance of viewpoints for funding consideration, a proposal review panel will be used. The proposal review panel will be selected and organized to provide maximum expertise and objective judgment in the evaluation of proposals. The proposal review panel will use Form FmHA 1943-2, "EVALUATION—Small Farmer Outreach Training and Technical Assistance Program," to evaluate each proposal. The proposal review panel will evaluate each proposal against the five criteria using the following scale: Highly Responsive (5); Fully Responsive (3); Marginally Responsive (1); and Not Responsive (0). The criteria used by the proposal review panel and the criteria weights are:

(1) *Feasibility and Policy Consistency* (3.5). Degree to which the proposal clearly describes its objective and evidences a high level of feasibility and consistency with United States Department of Agriculture (USDA) policy and CFSA mission.

(2) *Institutional Commitment* (3.5). Degree to which the institution or organization is committed to the project, as shown by funds, in-kind services, or historical success in meeting the objectives of the program.

(3) *Number of Counties and Farmers Served* (3.5). Degree to which the proposal reflects collaborative approaches in meeting with other agencies or organizations to enhance the objectives of the program. Also, the areas and number of farmers who would benefit from the services offered.

(4) *Socially Disadvantaged Applicants—Outreach* (3.5). Degree to which the proposal contains efforts to reach persons identified as socially disadvantaged farmers and ranchers in designated counties.

(5) *Preparatory Features—Statement of Work* (6.0). Degree to which the proposal reflects special innovative features to attract, interest, and improve the economical and social conditions of socially disadvantaged farmers and ranchers.

(f) The final decision to award is at the discretion of the awarding official. The awarding official shall consider the ranking, comments, and recommendations from the proposal review panel and any pertinent

information before deciding which applications to approve and the order of approval. The awarding official will notify in writing entities whose proposals are rejected. In accordance with § 1900.55 of subpart B of part 1900 of this chapter, appeal rights will be provided only to those entities identified as eligible under § 1943.105 of this subpart.

(g) After a decision regarding funding is made, CFSA and the recipient which is selected will enter into a grant or cooperative agreement. The awarding official will notify the recipient of approval and inform them of the necessary documents needed to execute the agreement. If no funding is involved, CFSA and the recipient will enter into an MOU.

§§ 1943.112–1943.114 [Reserved]

§ 1943.115 Authorized use of funds.

Any funds authorized under this subpart will be used solely for the operation and administration of the Small Farmer Outreach Training and Technical Assistance Program specifically for the project under the cooperative or other agreement. There is no other authorized use of the funds. Eligible costs are limited to those line items specified in § 1943.111 (b)(4) of this subpart.

§§ 1943.116–1943.125 [Reserved]

§ 1943.126 Other applicable federal statutes and regulations that apply.

Several other Federal statutes and regulations apply to proposals considered for review or cooperative and other agreements awarded under the program. These include, but are not limited to the following:

(a) 7 CFR part 1b—USDA Implementation of the National Environmental Policy Act;

(b) 7 CFR part 3—USDA implementation of OMB Circular A-129 regarding debt collection;

(c) 7 CFR part 1.1—USDA implementation of the Freedom of Information Act;

(d) 7 CFR part 15, Subpart A—USDA implementation of Title VI of the Civil Rights Act of 1964;

(e) 7 CFR part 3015—USDA Uniform Federal Assistance Regulations, implementing OMB Directives (i.e., Circular Nos. A-110, A-21, and A-122) and incorporating provisions of 31 U.S.C. 6301–6308 (formerly, the Federal Grant and Cooperative Agreement Act of 1977, Public Law No. 95–224), as well as general policy requirements applicable to recipients of Departmental financial assistance;

(f) 7 CFR part 3016—USDA Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;

(g) 7 CFR part 3017, as amended—USDA implementation of Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants);

(h) 7 CFR part 3018—USDA implementation of New Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans;

(i) 29 U.S.C. 794, Section 504—Rehabilitation Act of 1973, and 7 CFR part 15B (USDA implementation of the statute), prohibiting discrimination based upon physical or mental handicap in Federally assisted programs; and

(j) 35 U.S.C. 200 et seq.—Bayh-Dole Act, controlling allocation of rights to inventions made by employees of small business firms and domestic nonprofit organizations, including universities, in Federally assisted programs (implementing regulations are contained 37 CFR part 401).

§ 1943.127 Fund disbursement.

The method of payment will be by reimbursement by Treasury check, and payment will be requested on Standard Form (SF) 1034, "Public Voucher for Purchases and Services Other Than Personal," or SF-270, "Request for Advance or Reimbursement," whichever is applicable. Payments will be processed in accordance with 7 CFR parts 3015 and 3016.

§ 1943.128 Financial management systems and reporting requirements.

(a) Recipients must comply with standards for the financial management and reporting and program performance reporting found in 7 CFR parts 3015 and 3016.

(b) Recipients must provide to the State Office quarterly financial and program performance reports. The reports are due 30 days after the reporting period, and an original and two copies of each report will be submitted. The financial report will be presented on SF-269A, "Financial Status Report," and the financial and program performance reports will be prepared in accordance with 7 CFR parts 3015 and 3016.

(c) The program performance report should also address progress on the activities under each of the areas of Outreach, Training, and Technical Assistance, as stipulated in the

cooperative agreement or other agreement.

(d) Within 30 days after receipt, the State Office will forward the reports to the National Office Project Manager, with the State Office's comments and recommendations.

§§ 1943.129–1943.135 [Reserved]

§ 1943.136 Standards of conduct for employees of recipient.

(a) Recipients must establish safeguards to prevent employees, consultants, or members of governing bodies from using their positions for purposes that are, or give the appearance of being, motivated by a desire for private financial gain for themselves or others such as those with whom they have family, business, or other ties. Therefore, recipients receiving financial support must have written policy guidelines on conflict of interest and the avoidance thereof. These guidelines should reflect State and local laws and must cover financial interests, gifts, gratuities and favors, nepotism, and other areas such as political participation and bribery. These rules must also indicate the conditions under which outside activities, relationships, or financial interests are proper or improper, and provide for notification of these kinds of activities, relationships, or financial interests to a responsible and objective recipient official. For the requirements of a code of conduct applicable to procurements under grants and cooperative agreements, see the procurement standards prescribed by 7 CFR 3015.181.

(b) The rules of conduct must contain a provision for prompt notification of violations to a responsible and objective recipient official and must specify the type of administrative action that may be taken against an individual for violations.

(c) A copy of the rules of conduct must be given to each officer, employee, board member, and consultant of the recipient who is working on the CFSA financed project, and the rules must be enforced to the extent permissible under State and local law or to the extent to which the recipient determines it has legal and practical enforcement capacity. The rules need not be formally submitted and approved by the awarding official; however, they must be made available for review upon request, for example, during a site visit.

§ 1943.137 Monitoring compliance and penalty for noncompliance.

(a) *CFSA monitoring.* CFSA will monitor compliance of the Small Farmer Outreach Training and Technical

Assistance projects through the reports received in accordance with § 1943.128 of this subpart, through information received from field offices and the public, and may include on-site visits to observe the operation and administration of the program.

(b) *Audits.* Recipients are subject to the audit requirements of 7 CFR parts 3015 and 3016. An audit report will be submitted to the State Office annually in accordance with OMB Circular A-128, A-110, or A-133, whichever is applicable. The State Office will forward the audit to the National Office Project Manager, within 30 days after receipt, with the State Office's comments and recommendations.

(c) *Penalty for noncompliance.* If the Administrator determines that a Small Farmer Outreach Training and Technical Assistance project does not meet or no longer meets the objective of the program, that there has been a violation of the cooperative or other agreement, that reporting requirements are not being met, or that funds are not being used only for the operation and administration of the Small Farmer Outreach Training and Technical Assistance Program, the awarding official is authorized to impose any penalties or sanctions established in 7 CFR parts 3015 and 3016. Penalties may include withholding payments, suspension of the cooperative agreement or other agreement, or termination for cause. If a penalty for noncompliance is enforced, the reason(s) will be stated in a letter to the recipient along with appeal rights pursuant to subpart B of part 1900 of this chapter.

§§ 1943.138–1943.140 [Reserved]

§ 1943.141 Nondiscrimination.

The policies and regulations contained in subpart E of part 1901 of this chapter apply to grants and other agreements made under this subpart.

§ 1943.142 Environmental requirements.

The policies and regulations contained in subpart G of part 1940 of this chapter apply to grants and other agreements made under this subpart.

§§ 1943.143–1943.150 [Reserved]

Dated: December 5, 1994.

Eugene Moos,
Under Secretary, Farm and Foreign
Agricultural Services.

Dated: December 5, 1994.

Bob J. Nash,
Under Secretary, Rural Economic and
Community Development.

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Food Safety and Inspection Service

9 CFR Parts 318, 381 and 391

[Docket No. 94-0331]

RIN: 0583-AB87

Reduction of Accreditation Fees for FSIS Accredited Laboratories

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: The Food Safety and Inspection Service (FSIS) is amending provisions of the Federal meat and poultry products inspection regulations to reduce the fees charged participants in the Agency's Accredited Laboratory Program (ALP). Non-Federal analytical laboratories are qualified under the ALP to conduct analyses of official meat and poultry samples. Laboratory accreditation fees that cover the costs of the ALP are mandated by the Food, Agriculture, Conservation, and Trade Act of 1990 (the 1990 Farm Bill), as amended. The same Act mandates annual payment of the fees on the anniversary date of each accreditation. FSIS has determined that reduced ALP administrative expenditures for fiscal year 1995 will enable the Agency to charge a smaller accreditation fee than last year. However, because the laboratory accreditation fee is set forth in the regulations, the regulations must be changed before the Agency can charge a different fee. Since the anniversary date of most current accreditations is December 13, FSIS would like to begin billing the laboratories at the reduced rate on that date. FSIS is also making an editorial correction to the Federal meat and poultry products inspection regulations. **EFFECTIVE DATE:** December 27, 1994. Comments must be received by: January 26, 1995.

ADDRESSES: Send written comments, in triplicate, to Policy, Evaluation and Planning Staff, ATTN: Diane Moore, FSIS Docket Clerk, room 3171, South Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250. Oral comments, as provided by the Poultry Products Inspection Act, should be presented to Dr. Jess Rajan, Chief, Quality Systems Branch, Chemistry Division, Science and Technology, (202) 205-0679.

FOR FURTHER INFORMATION CONTACT: Dr. Jess Rajan, Food Safety and Inspection Service, U.S. Department of Agriculture, room 516A, Annex Building, 300 12th Street, SW.,