

Executive Order 12866 and Regulatory Flexibility Act

This interim rule has been reviewed under Executive Order 12866.

For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

Cattle moved interstate are moved for slaughter, for use as breeding stock, or for feeding. Changing the brucellosis status of Colorado from Class A to Class Free will promote economic growth by reducing certain testing and other requirements governing the interstate movement of cattle from the State. Testing requirements for cattle moved interstate for immediate slaughter or to quarantined feedlots are not affected by this change. Cattle from certified brucellosis-free herds moving interstate are not affected by this change.

The groups affected by this action will be herd owners in Colorado, as well as buyers and importers of cattle from the State.

There are an estimated 13,000 cattle herds in Colorado that would be affected by this rule. Ninety-eight percent of these are owned by small entities. Most of these herds are not certified-free. Test-eligible cattle offered for sale from other than certified-free herds must have a negative test under present Class A status regulations, but not under regulations concerning Class Free status. This testing costs approximately \$3.25 per head. If such testing were distributed equally among all herds affected by this rule, Class Free status would save approximately \$8.50 per herd.

Therefore, we believe that changing the brucellosis status for Colorado would not have a significant economic impact on the small entities affected by this interim rule.

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.

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 rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are

in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

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

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 78 is amended as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 78.41 [Amended]

2. Section 78.41, paragraph (a), is amended by adding “Colorado,” immediately after “Arizona,”.

3. Section 78.41, paragraph (b), is amended by removing “Colorado,”.

Done in Washington, DC, this 17th day of January 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–1636 Filed 1–20–95; 8:45 am]

BILLING CODE 3410–34–P

9 CFR Part 92

[Docket No. 94–032–2]

Importation of Brushtail Possums and Hedgehogs From New Zealand

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the animal importation regulations to prohibit the importation of brushtail possums and hedgehogs from New Zealand. This action is necessary to prevent the introduction of tuberculous animals into the United States. The intended effect is to protect domestic livestock from tuberculosis.

EFFECTIVE DATE: February 22, 1995.

FOR FURTHER INFORMATION CONTACT: Dr. Samuel Richeson, Senior Staff Veterinarian, Import-Export Animals

Staff, National Center for Import-Export, Veterinary Services, APHIS, USDA, room 764, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–8170.

SUPPLEMENTARY INFORMATION:**Background**

In an interim rule effective and published in the **Federal Register** on June 6, 1994 (59 FR 29186–29187, Docket No. 94–032–1), we amended the animal importation regulations in 9 CFR part 92 by prohibiting the importation of brushtail possums and hedgehogs from New Zealand.

Comments on the interim rule were required to be received on or before August 5, 1994. We did not receive any comments. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Order 12778, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Accordingly, we are adopting as a final rule, without change, the interim rule that was published at 59 FR 29186–29187 on June 6, 1994, and that amended 9 CFR part 92 by adding a new subpart G.

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.17, 2.51, and 371.2(d).

Done in Washington, DC, this 17th day of January 1995.

Lonnie J. King,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–1634 Filed 1–20–95; 8:45 am]

BILLING CODE 3410–34–P

SMALL BUSINESS ADMINISTRATION**13 CFR Part 122****Business Loans—Export Loans**

AGENCY: Small Business Administration (SBA).

ACTION: Final rule.

SUMMARY: Under this final rule, SBA is implementing certain provisions of the "Small Business Administration Reauthorization and Amendments Act of 1994", enacted on October 22, 1994, which are relevant to its guaranteed lending programs with respect to export revolving line of credit loans (ERLC) and international trade loans. With respect to ERLC loans, the rule deletes the present regulatory provision limiting such loans to a maturity of three years. In addition, the regulation also provides that SBA may guarantee standby letters of credit issued in connection with ERLC lending. With respect to international trade loans, the rule increases the percentage of the loan which SBA may guarantee from 85 percent to 90 percent. Under the rule, up to \$750,000 (instead of \$250,000) of an international trade loan could be used for working capital, supplies or ERLC financing.

EFFECTIVE DATES: This rule is effective January 23, 1995.

FOR FURTHER INFORMATION CONTACT: John R. Cox, 202/205-6490.

SUPPLEMENTARY INFORMATION: Pub. L. 103-403 was enacted on October 22, 1994 (1994 legislation). Because this final rule is amending the regulations to reflect literal statutory changes made by the 1994 legislation, SBA is publishing this final rule without opportunity for prior public comment pursuant to 5 U.S.C. 553(b)(A). However, SBA solicits and will consider any comments it receives with respect to this final rule in making adjustments to the ERLC program.

Consistent with section 209 of the 1994 legislation, section 122.54-1 of SBA's regulations (13 CFR § 122.54-1), which sets forth the policy concerning ERLC loans, is amended to eliminate the limitation on the term of those loans to three years. This means that, because of the 1994 legislation, ERLC loans may now be made with maturity periods in excess of three years. Section 209 of the 1994 legislation also authorizes SBA to guarantee standby letters of credit issued in connection with export revolving lines of credit, and § 122.54-1 is amended to reflect this statutory change.

With respect to international trade loans, consistent with § 211 of the 1994

legislation, section 122.57-3 of SBA's regulations (13 CFR § 122.57-3) is amended by substituting a 90 percent SBA guaranty in lieu of the former 85 percent guaranty. In addition, to reflect section 210 of the 1994 legislation, section 122.57-3 is further amended to allow up to \$750,000 (increased from the present \$250,000) of an international trade loan to be used for working capital, supplies or ERLC financing. Thus, under this final rule, SBA is authorized to provide greater assistance to borrowers engaged in international trade by providing an increased guaranty, and the small business concern may obtain additional benefits because it may apply a larger portion of its loan for working capital, supplies and ERLC financing.

Compliance With Executive Orders 12612, 12778 and 12866, the Regulatory Flexibility Act, 5 U.S.C. 601, et seq. and the Paperwork Reduction Act, 44 U.S.C. Ch. 35

For purposes of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, SBA certifies that this final rule does not have a significant economic impact on a substantial number of small entities.

SBA certifies that this final rule does not constitute a significant regulatory action for the purposes of Executive Order 12866, since the change is not likely to result in an annual effect on the economy of \$100 million or more.

SBA certifies that the final rule does not impose additional reporting or recordkeeping requirements which would be subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

This final rule does not have federalism implications warranting the preparation of a Federalism Assessment in accordance with Executive Order 12612.

For purposes of Executive Order 12778, SBA certifies that this final rule is drafted, to the extent practicable, in accordance with the standards set forth in section 2 of that Order.

(Catalog of Federal Domestic Assistance Programs, No. 59.012)

List of Subjects in 13 CFR Part 122

Exports, Loan programs—business, Small businesses.

Accordingly, pursuant to the authority contained in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), SBA amends part 122, chapter I, title 13, Code of Federal Regulations, as follows:

PART 122—BUSINESS LOANS

1. The authority citation for part 122 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6), 636(a), 636(m).

2. Section 122.54-1 is revised to read as follows:

§ 122.54-1 Policy.

The Act authorizes a revolving line of credit for export purposes generally including, but not limited to, the development of foreign markets. SBA may guarantee standby letters of credit issued in connection with revolving lines of credit for export purposes.

3. Section 122.57-3 is revised to read as follows:

§ 122.57-3 Amount and percentage of loan guaranty.

A guaranty commitment made by SBA pursuant to section 7(a)(16) of the Act shall not exceed 90 percent of the amount of the loan. Such guaranty commitment by SBA shall not exceed \$1,250,000, of which not more than \$750,000 may be used for working capital, supplies, or financings for export revolving lines of credit under § 122.54. The aggregate amount of \$1,250,000 available from the business loan and investment fund under this section shall be reduced by any other financing from SBA pursuant to section 7(a) of the Act.

Dated: December 21, 1994.

Philip Lader,
Administrator.

[FR Doc. 95-1503 Filed 1-20-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 28028; Amdt. No. 386]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.