

7. The world use of peanuts for MY 1994 is expected to be 24.42 million metric tons, up 1.3 percent from MY 1993. World peanut production for MY 1994 is forecast to be 24.47 million metric tons, up 2 percent from MY 1993. Ending stocks for MY 1994 are forecast at 0.70 million metric tons, up 8 percent from MY 1993.

C. Minimum CCC Export Edible Sales Price for Additional Peanuts

The minimum price at which additional peanuts owned or controlled by CCC may be sold for use as edible peanuts in export markets is a discretionary action that, by practice, is announced at the same time as quota and additional peanut support levels to facilitate the negotiation of additional peanut contracts by producers and handlers.

A proposed rule setting forth the MY 1995 minimum CCC export edible sales price of \$400 per st was published on January 4, 1995 (60 FR 381). Six comments were received in response to the notice during the public comment period that ended on January 17, 1995. The six respondents addressing this issue were five shellers or sheller-processors and one peanut product manufacturer. Five comments supported a CCC export edible sales price of \$400 per st or above; most of these felt that the \$400 minimum had served the industry well since 1986. One sheller respondent felt that CCC should discontinue the policy of announcing a minimum export edible sales price and make all additional peanuts available to export markets at market determined prices. The \$400 price has been adopted in this final rule for the reasons set out in the January 4 notice.

List of Subjects in 7 CFR Part 1421

Grains, Loan programs-agriculture, Oilseeds, Peanuts, Price support programs, Reporting and recordkeeping requirements, Soybeans, Surety bonds, Warehouses.

Accordingly, 7 CFR part 1421 is amended as follows:

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

1. The authority citation for 7 CFR part 1421 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1425, 1441z, 1444f-1, 1445b-3a, 1445c-3, 1445e, and 1446f; 15 U.S.C. 714b and 714c.

2. Section 1421.7(b)(8)(iv) is revised and paragraph (b)(8)(v) is added to read as follows:

§ 1421.7 Adjustment of basic support rates.

* * * * *

(b) * * *
(8) * * *
(iv) 1994 Peanuts, Quota—\$678.36 per short ton; Additional—\$132.00 per short ton;

(v) 1995 Peanuts, Quota—\$678.36 per short ton; Additional—\$132.00 per short ton;

* * * * *

3. Sections 1421.27(a)(2)(iv) is revised and paragraph (a)(2)(v) is added to read as follows:

§ 1421.27 Producer-handler purchases of additional peanuts pledged as collateral for a loan.

(a) * * *
(2) * * *

(iv) The 1994 minimum CCC sales price for additional peanuts sold for export edible use is \$400 per short ton;

(v) The 1995 minimum CCC sales price for additional peanuts sold for export edible use is \$400 per short ton.

* * * * *

Signed at Washington, DC, on May 21, 1995.

Bruce R. Weber,

Acting Executive Vice President, Commodity Credit Corporation.

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

SUPPLEMENTARY INFORMATION: Public Law 103-403 required SBA, among other things, to promulgate regulations which require certification by any recipient of Agency financial assistance under the Small Business Act that the recipient is not delinquent on a court order or other formal agreement requiring payment of child support. In that regard, Section 612 of Pub. L. 103-403, October 22, 1994, states:

(f) Certification of Compliance with Child Support Obligations.—

(1) In General. For financial assistance approved *after the promulgation of final regulations to implement this section*, each recipient of financial assistance under this Act, including a recipient of a direct loan or a loan guarantee, shall certify that the recipient is not more than 60 days delinquent under the terms of any—

(A) administrative order;

(B) court order; or

(C) repayment agreement entered into between the recipient and the custodial parent or State agency providing child support enforcement services, that requires the recipient to pay child support, as such is defined in section 462(b) of the Social Security Act.

(2) Enforcement. *Not later than 6 months after the date of enactment of this subsection, the Administration shall promulgate such regulations as may be necessary to enforce compliance with the requirements of this subsection.*

[Emphasis added.]

The Conference Report language on this section is useful in providing guidance for implementing this requirement. (See Report 103-824 to accompany S. 2060.) It provides:

Sec. 612. Certification of compliance with child support obligations.

Both bills contained provisions requiring SBA borrowers to certify that they are not in violation of any court order or agreement requiring the payment of child support. The conference report contains the same provision with a clarification with court orders, administrative orders, or agreements, specifically 60 days or more in arrears.

While intending to strengthen federal policy in support of family support obligations, the conferees recognize that economic circumstances may from time to time cause a parent to be late in such payments. It is not the intent of the conferees to subject minor lapses to the criminal and civil penalties contained in both the Small Business Act and the False Statements Act for false representations made to the agency in the course of a loan application or other application for assistance. Hence, the conference agreement provides for a certification that the applicant is not more than 60 days late in making any child support payment required by court order or agreement. Loan applicants should be advised of this provision at the outset of the

SMALL BUSINESS ADMINISTRATION

13 CFR Part 116

Policies of General Application

AGENCY: Small Business Administration (SBA).

ACTION: Interim final rule with request for comments.

SUMMARY: On October 22, 1994, the President signed Public Law 103-403, The Small Business Administration Reauthorization and Amendments Act of 1994. Section 612 of that Act requires SBA to promulgate regulations by April 22, 1995 which require certification by any recipient of financial assistance under the Small Business Act that such recipient is not delinquent on a court order or other formal agreement requiring payment of child support. This interim final rule, published in accordance with Public Law 103-403, implements this requirement.

DATES: This rule becomes effective May 26, 1995. Comments by June 26, 1995.

ADDRESSES: Comments should be sent to John R. Cox, Associate Administrator for Financial Assistance, Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

application process, but certification pursuant to this section may be made as part of the loan closing.

Thus, certification at the time of application does not appear to be required, although it may be used as a means for "weeding out" delinquents. In the alternative, certification at the time of closing is consistent with the intent of Congress, and these regulations require such certification.

SBA has also determined that the intent of the legislation is to require individuals who are subject to agreements requiring the payment of child support to make the required certifications. Many of the applicants for SBA financial assistance are corporations, partnerships and sole proprietorships. For purposes of these regulations, SBA will require any owner or partner holding 50% or more of the voting interests of an applicant (a principal) to certify.

Finally, SBA takes the position that the statute intends coverage only for its business loan and disaster loan program; i.e. financial assistance made available under the Small Business Act. Therefore, only applicants for assistance under those programs will be required to make the required certifications.

In practice, after the effective date of these regulations, SBA or its participating lender will notify the principals of all applicants for assistance under the business and disaster loan programs at the time of application that they must certify to compliance with outstanding court orders or agreements requiring the payment of child support. The required certification will be made a condition of the loan authorization which if not satisfied will be a ground for not closing the loan.

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.

BAS 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 this 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.

Because this final rule reflects a reporting requirement imposed by Pub. L. 103-403, and is required to be effective by April 22, 1995, 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 future adjustments.

(Catalog of Federal Domestic Assistance Program Nos. 59.001, 59.002, 59.008, 59.012, 59.021)

List of Subjects in 13 CFR Part 116

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 116, chapter I, title 13, Code of Federal Regulations, as follows:

1. Subpart F is added to read as follows:

Subpart F—Compliance With Child Support Obligations.

116.42 Policy.

116.43 Certification.

116.44 Recipient.

Authority: Sec. 612 of Pub. L. 103-403, 108 Stat. 4175.

Subpart F—Compliance With Child Support Obligations

§ 116.42 Policy.

It is the policy of SBA that each recipient of financial assistance under the Small Business Act shall certify that the recipient is not more than 60 days delinquent under any administrative order, court order, or repayment agreement between the recipient and the custodial parent or a State agency providing child support enforcement services that requires the recipient to pay child support as that term is defined in section 462(b) of the Social Security Act.

§ 116.43 Certification.

The certification required to comply with the statement of policy expressed in § 116.41 shall be a condition of all financial assistance granted under sections 7 (a) and (b) of the Small Business Act.

§ 116.44 Recipient.

For purposes of this subpart the term recipient shall mean an owner of 50% or more of the ownership interest of an applicant for assistance under section 7 (a) or (b) of the Small Business Act.

Dated: April 26, 1995.

Cassandra M. Pulley,

Deputy Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-ANE-05; Amendment 39-9243; AD 95-11-08]

Airworthiness Directives; Hartzell Propeller Inc. Models HC-92WK-() and HC-92ZK-() Propellers

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes airworthiness directive (AD) 73-02-01, applicable to Hartzell Propeller Inc. Models HC-92WK-() and HC-92ZK-() propellers, that currently requires visual and penetrant inspections of the propeller blade shank area for corrosion at 1,000 hour time in service (TIS) intervals and shotpeening after inspection. This amendment requires a one-time inspection of the blade clamp screws, then a dye penetrant inspection, compressive rolling of the blade shank, and replacement of blade clamp screws, all to be accomplished at intervals of 500 hours TIS. This amendment is prompted by reports of two recent propeller blade separations that occurred at less than 1,000 hours TIS since last inspection. The actions specified by this AD are intended to prevent propeller blade separation, which could result in loss of control of the aircraft.

DATES: Effective June 12, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 12, 1995.

Comments for inclusion in the Rules Docket must be received on or before July 25, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No.