Programs; RBS Loan, Grant, and Guarantee Programs and the Intermediary Relending Program; and determinations of the Rural Housing Trust 1987–1 Master Servicer.

(c) This subpart does not apply to decisions made by parties outside an agency even when those decisions are used as a basis for decisions falling within paragraph (b) of this section, for example: decisions by state governmental construction standards-setting agencies (which may determine whether RHS will finance certain houses); Davis-Bacon wage rates; flood plain determinations; archaeological and historical areas preservation requirements; and designations of areas inhabited by endangered species.

§ 1900.54 Effect on assistance pending appeal.

(a) Assistance will not be discontinued pending the outcome of an appeal of a complete or partial adverse decision.

(b) Notwithstanding the provisions of paragraph (a) of this section, administrative offsets initiated under subpart C of part 1951 will not be stayed pending the outcome of an appeal and any further review of the decision to initiate the offset.

§ 1900.55 Adverse action procedures.

(a) If an applicant, guaranteed lender, a holder, borrower or grantee is adversely affected by a decision covered by this subpart, the decision maker will inform the participant of the adverse decision and whether the adverse decision is appealable. A participant has the right to request the Director of NAD to review the agency's finding of nonappealability in accordance with 7 CFR 11.6(a). In cases where the adverse decision is based on both appealable and nonappealable actions, the adverse action is not appealable.

(b) A participant affected by an adverse decision of an agency is entitled under section 275 of the Act to an opportunity for a separate informal meeting with the agency before commencing an appeal to NAD under 7 CFR part 11.

(c) Participants also have the right under section 275 of the Act to seek mediation involving any adverse decision appealable under this subpart if the mediation program of the State in which the participant's farming operation giving rise to the decision is located has been certified by the Secretary for the program involved in the decision. An agency shall cooperate in such mediation. Any time limitation for appeal will be stayed pending completion of the mediation process (7 CFR 11.5(c)).

§ 1900.56 Non-appealable decisions.

The following are examples of decisions which are not appealable:

(a) Decisions which do not fall within the scope of this subpart as set out in § 1900.53.

(b) Decisions that do not meet the definition of an ''adverse decision'' under 7 CFR part 11.

(c) Decisions involving parties who do not meet the definition of ''participant'' under 7 CFR part 11.

(d) Decisions with subject matters not covered by 7 CFR part 11.

(e) Interest rates as set forth in agency procedures, except for appeals alleging application of an incorrect interest rate.

(f) The State RECD Director's refusal to request an administrative waiver provided for in agency program regulations.

(g) Denials of assistance due to lack of funds or authority to guarantee.

§ 1900.57 [Reserved]

Done at Washington, D.C., this 21st day of December, 1995.

Dan Glickman,

Secretary of Agriculture.

[FR Doc. 95–31397 Filed 12–28–95; 8:45 am]

BILLING CODE 3410–01–P

Agricultural Marketing Service

7 CFR Part 51

[Docket No. FV–95–303C]

Removal of U.S. Grade Standards and Other Selected Regulations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Correction to interim final rule.

SUMMARY: This document contains a correction to the interim final rule published on December 4, 1995, (60 FR 62172–62181). The document concerned removal of U.S. grade standards and other selected regulations from the Code of Federal Regulations (CFR).

EFFECTIVE DATE: December 4, 1995.

FOR FURTHER INFORMATION CONTACT: Eric Forman, Deputy Director, Fruit and Vegetable Division, USDA, AMS, Room 2085–S, P.O. Box 96456, Washington, DC 20090–6456, telephone (202) 690–0262.

SUPPLEMENTARY INFORMATION:

Background

As published, the interim final rule removed most of the voluntary U.S. grade standards and other selected regulations covering a number of agricultural commodities (dairy products, tobacco, wool, mohair, fresh and processed fruits and vegetables, livestock, meats and meat products, eggs, and poultry and rabbit products). This includes all the standards except those which are currently in the rulemaking process, incorporated by reference in marketing orders/agreements appearing at 7 CFR Parts 900 through 999, or those used to implement government price support. Those grade standard regulations will continue to appear in the CFR. Standards for Applies (7 CFR 51.300–51.339), Applies for Processing (7 CFR 51.340–51.354), and Pears for Canning (7 CFR 51.1345–51.1374) should not have been removed because of requirements under the Export Apple and Pear Act (7 U.S.C. 581, et seq.).

Correction of Publication

1. Accordingly, in the December 4, 1995, publication, on page 62174 of the **SUPPLEMENTARY INFORMATION**, in the table titled ''Administered by the Fresh Products Branch, Fruit and Vegetable Division, 51.300–339, Subpart—United States Standards for Grades of Apples, 51.340–354, Subpart—United States Standards for Grades of Apples for Processing, and 51.1354–1374, Subpart—United States Standards for Pears for Canning, should not have been included. These three entities should have appeared in the table on page 62176 as standards that are being retained.

PART 51—[CORRECTED]

2. On page 62180, in the first column, under part 51, the first 5 lines in amendatory instruction 6 are corrected to read as follows:

6. In part 51, § 51.100, §§ 51.355 through 51.464, §§ 51.495 through 51.556, §§ 51.810 through 51.869, §§ 51.925 through 51.986, §§ 51.1030 through 51.1109, §§ 51.1375 through 51.1387, * * *

Dated: December 26, 1995.

Kenneth C. Clayton,

Acting Administrator.

[FR Doc. 95–31515 Filed 12–28–95; 8:45 am]

BILLING CODE 3410–02–M

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 95–074–1]

Validated Brucellosis-Free States; Georgia

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the brucellosis regulations concerning the interstate movement of swine by adding Georgia to the list of validated brucellosis-free States. We have determined that Georgia meets the criteria for classification as a validated brucellosis-free State. This action relieves certain restrictions on the interstate movement of breeding swine from Georgia.

DATES: Interim rule effective December 29, 1995. Consideration will be given only to comments received on or before February 27, 1996.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 95–074–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 95–074–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Taft, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, suite 3B08, 4700 River Road Unit 43, Riverdale, MD 20737–1231, (301) 734–4916.

SUPPLEMENTARY INFORMATION:

Background

Brucellosis is a contagious disease affecting animals and man, caused by bacteria of the genus *Brucella.* The brucellosis regulations, contained in 9 CFR part 78 (referred to below as the regulations), prescribe conditions for the interstate movement of cattle, bison, and swine.

Under the swine brucellosis regulations, States, herds, and individual animals are classified according to their brucellosis status. Interstate movement requirements for swine are based upon the disease status of the individual animal or the herd or State from which the animal originates.

We are amending § 78.43 of the regulations, which lists validated brucellosis-free States, to include Georgia. A State may apply for validated brucellosis-free status when:

(1) Any herd found to have swine brucellosis during the 2-year qualification period preceding the application has been depopulated. More than one finding of a swine brucellosis-infected herd during the qualification period disqualifies the State from validation as brucellosis-free; and

(2) During the 2-year qualification period, the State has completed surveillance, annually, by either complete herd testing, market swine testing, or statistical analysis.

Breeding swine originating from a validated brucellosis-free State or herd may be moved interstate without having been tested with an official test for brucellosis within 30 days prior to interstate movement, which would otherwise be required.

After reviewing its brucellosis program records, we have concluded that Georgia meets the criteria for classification as a validated brucellosis-free State. Therefore, we are adding Georgia to the list of States in § 78.43. This action relieves certain restrictions on the interstate movement of breeding swine from Georgia.

Immediate Action

The Administrator of the Animal and Plant Health Inspection Service has determined that there is good cause for publishing this interim rule without prior opportunity for public comment. Immediate action is warranted to remove unnecessary restrictions on the interstate movement of swine from Georgia.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make it effective upon publication in the Federal Register. We will consider comments that are received within 60 days of publication of this rule in the Federal Register. After the comment period closes, we will publish another document in the Federal Register. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This 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.

This action removes the requirement that breeding swine be tested for brucellosis prior to movement interstate from Georgia.

Swine herd producers in Georgia are all small businesses (defined by the Small Business Administration as having annual gross receipts of less than $500,000). Currently, these small producers have about 50,000 adult swine tested annually for brucellosis. We are not able to determine exactly how many of these tests are performed for the purpose of certifying breeding swine for movement interstate, but we estimate the number to be very small.

Currently, swine are routinely tested for pseudorabies and swine brucellosis with the same blood sample at an approximate cost to the producer of $5 per blood sample. Even though the swine will no longer have to be tested for swine brucellosis to move interstate as a result of this change in the regulations, they will still need to be tested for pseudorabies. Therefore, this change in the regulations will not create or remove any costs for swine producers in Georgia.

We anticipate, therefore, that this action will have a minimal, if any, economic impact on swine herd producers in Georgia. The few small producers that do move breeder swine interstate will still have to pay for a pseudorabies test for the swine.

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 rule contains no information collection or recordkeeping

requirements under the Paperwork Reduction Act of 1995 (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 2.22, 2.80, and 371.2(d).

§ 78.43 [Amended]

2. Section 78.43 is amended by adding ''Georgia,'' immediately after ''Delaware,''.

Done in Washington, DC, this 19th day of December 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–31415 Filed 12–28–95; 8:45 am]

BILLING CODE 3410–34–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operations of Federal Credit Unions

AGENCY: National Credit Union Administration (NCUA).

ACTION: Approval of Information Collection Requirements.

SUMMARY: On June 3, 1994 (60 FR 29066), the National Credit Union Administration (NCUA) published a final Interpretive Ruling and Policy Statement 94–1-Chartering and Field of Membership Policy (IRPS 94–1) and a final amendment updating the rules and regulations on organizations and operations of Federal Credit Unions. At that time, Office of Management and Budget approval for IRPS 94–1 was pending and the preamble to the final rule stated that it would be published in the Federal Register upon receipt. The information collection requirements in the final rule have been approved by the Office of Management and Budget. The control number assigned for this rule is 3133–0015, approved for use through August 31, 1997.

EFFECTIVE DATE: December 29, 1995.

ADDRESSES: Becky Baker, Secretary of the Board, National Credit Union Administration Board, 1775 Duke Street, Alexandria, VA 22314–3428.

FOR FURTHER INFORMATION CONTACT: Michael McKenna, Attorney, Office of General Counsel (703) 518–6540, at the above address.

By the National Credit Union Administration Board on December 22, 1995.

Becky Baker,

Secretary of the Board.

[FR Doc. 95–31514 Filed 12–28–95; 8:45 am]

BILLING CODE 7535–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–CE–28–AD; Amendment 39–9472; AD 95–26–13]

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) PA28 and PA32 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 76–25–06, which currently requires replacing oil cooler hoses on The New Piper Aircraft, Inc. (Piper) Model PA28–140 airplanes, and inspecting for a minimum clearance between the oil cooler hose assemblies and the front exhaust stacks and adjusting if proper clearance is not obtained. This action maintains the clearance inspection and oil cooler hose replacements, requires this inspection and these replacements to be repetitive, and extends the applicability to include PA32 series and other PA28 series airplanes. It also provides the option of installing approved TSO–C53a, Type D oil cooler hose assemblies as terminating action for the repetitive inspection requirement. Numerous incidents/accidents caused by oil cooler hose rupture or failure on the affected airplanes prompted this action. The actions specified by this AD are intended to prevent these oil cooler hoses from failing or rupturing, which could result in engine stoppage and subsequent loss of control of the airplane.

EFFECTIVE DATE: February 5, 1996.

ADDRESSES: Information that relates to this AD may be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 94–CE–28–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Ms. Juanita Craft-Lloyd, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7373; facsimile (404) 305–7348.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Model PA28–140 airplanes was published in the Federal Register on March 8, 1995 (60 FR 12714). The action proposed to supersede AD 76–25–06, Amendment 39–2788, with a new AD that would retain the clearance inspection and oil cooler hose replacement for the Piper Model PA28–140 airplanes, and make the inspection and replacement repetitive for these airplanes as well as other PA28 series and the PA32 series airplanes. It would also provide the option of installing approved TSO–C53a, Type D oil cooler hose assemblies as terminating action for the repetitive inspection requirement.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter states that the proposal should take into account that the affected airplanes could have oil cooler hose assemblies installed other than those manufactured from Piper. The FAA concurs and has changed the AD to reflect that the AD applies to airplanes with oil cooler hose assemblies that do not meet TSO–C53a, Type D requirements.

This same commenter points out that paragraph (b)(2) of the proposed AD contains the words ''oil cooler assembly'' when it should contain the words ''oil cooler hose assembly''. The FAA concurs and has changed paragraph (b)(2) of the AD to reflect the above-referenced language.

This commenter also believes that the cost of the oil cooler hoses is too low and that the FAA did not take into account that each airplane has two oil cooler hoses installed. The commenter states that the price of an oil cooler hose is between $122 and $279, and the FAA estimates $110. The FAA will change the economic paragraph of the final rule to incorporate the upper end of the price range for oil cooler hoses of $279 per hose with two oil cooler hoses per airplane ($558 per airplane for parts).

A commenter proposes that the FAA clarify whether the date used to determine the eight-year replacement