

# Rules and Regulations

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## FEDERAL LABOR RELATIONS AUTHORITY

### 5 CFR Chapter XIV

#### Regional Offices; Sub-Regional Office Closure; Sub-Regional Office Change in Status; Address, Telephone and Fax Number Change

**AGENCY:** Federal Labor Relations Authority.

**ACTION:** Amendment of rules and regulations.

**SUMMARY:** This document amends the rules and regulations of the Federal Labor Relations Authority, the General Counsel of the Federal Labor Relations Authority, and the Federal Service Impasses Panel to announce the closing of the Philadelphia Sub-Regional Office; the change in status of the Cleveland Sub-Regional Office; and the Atlanta Regional Office's new address, telephone and fax numbers.

**EFFECTIVE DATE:** January 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Clyde B. Blandford Jr., Director of Operations and Resource Management, at (202) 482-6602.

**SUPPLEMENTARY INFORMATION:** Effective January 28, 1980, the Authority and the General Counsel published, at 45 FR 3482, January 17, 1980, final rules and regulations to govern the processing of cases by the Authority and the General Counsel under chapter 71 of title 5 of the United States Code. These rules and regulations are required by title VII of the Civil Service Reform Act of 1978 and are set forth in 5 CFR part 2400.

Appendix A, paragraph (d) of the rules and regulations lists the current addresses, telephone and fax numbers of the Regional Offices and Sub-Regional Offices of the Authority. This amendment announces the closure of the Philadelphia Sub-Regional Office and the change in status of the Cleveland Sub-Regional Office to a duty

station. Upon a careful review of costs and operating efficiencies, we have concluded that the transaction of Authority business will be enhanced by these actions. This change does not affect the geographic jurisdiction of the Boston and Chicago Regional Offices, respectively. Additionally, this amendment announces changes in the address, telephone and fax numbers of the Atlanta Regional Office.

#### Executive Order 12291

This proposed regulation has been reviewed in accordance with Executive Order 12291. It is not classified as major because it does not meet the criteria for major regulations established by the Order.

#### Regulatory Flexibility Act Certification

The General Counsel has determined that this proposed regulation will not have a significant economic impact on a substantial number of small entities.

#### Paperwork Reduction Act of 1980

The proposed regulation contains no information collection or recordkeeping requirement under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507 *et seq.*).

For the reasons set out in the preamble and under the authority of 5 U.S.C. 7134, Appendix A to 5 CFR chapter XIV is amended by revising paragraph (d) to read as follows:

#### Appendix A to 5 CFR Chapter XIV—Current Addresses and Geographic Jurisdictions

\* \* \* \* \*

(d) The Office addresses, telephone and fax numbers of the Regional Offices of the Authority are as follows:

(1) Boston, Massachusetts Regional Office—99 Summer Street, suite 1500, Boston, Massachusetts 02110-1200; telephone: FTS or commercial (617) 424-5730; fax: FTS or commercial (617) 424-5743.

(2) Washington, DC Regional Office—1255 22nd Street, NW., suite 400, Washington, DC 20037-1206; telephone: FTS or commercial (202) 653-8500; fax: FTS or commercial (202) 653-5091.

(3) Atlanta, Georgia Regional Office—285 Peachtree Center Avenue, suite 701, Atlanta, Georgia 30303-1270; telephone: FTS or commercial (404) 331-5300; fax: FTS or commercial (404) 331-5280.

(4) Chicago, Illinois Regional Office—55 West Monroe, suite 1150, Chicago, Illinois 60603-9729; telephone: FTS or commercial (312) 353-6306; fax: FTS or commercial (312) 886-5977.

(5) Dallas, Texas Regional Office—525 Griffin Street, suite 926, LB-107, Dallas, Texas 75202-1906; telephone: FTS or commercial (214) 767-4996; fax: FTS or commercial (214) 767-0156.

(6) Denver, Colorado Regional Office—1244 Speer Boulevard, suite 100, Denver, Colorado 80204-3581; telephone: FTS or commercial (303) 844-5224; fax: FTS or commercial (303) 844-2774.

(7) San Francisco, California Regional Office—901 Market Street, suite 220, San Francisco, California 94103-1791; telephone: FTS or commercial (415) 356-5000; fax: FTS or commercial (415) 356-5017.

\* \* \* \* \*

Dated: January 17, 1996.

Solly Thomas,

*Executive Director, Federal Labor Relations Authority.*

[FR Doc. 96-763 Filed 1-22-96; 8:45 am]

BILLING CODE 6727-01-M

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 92

[Docket No. 95-092-1]

#### Specifically Approved States Authorized To Receive Mares and Stallions Imported From Countries Where CEM Exists

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

**ACTION:** Direct final rule.

**SUMMARY:** We are amending the animal importation regulations by adding Alabama and North Carolina to the list of States approved to receive certain mares imported into the United States from countries affected with contagious equine metritis (CEM). We are also adding Alabama to the list of States approved to receive certain stallions imported into the United States from countries affected with CEM. We are taking this action because Alabama and North Carolina have entered into an agreement with the Administrator of the Animal and Plant Health Inspection Service to enforce their State laws and regulations to control CEM and to require inspection, treatment, and testing of horses, as required by Federal regulations, to further ensure the horses' freedom from CEM. This action relieves unnecessary restrictions on importers of

mares and stallions from countries where CEM exists.

**DATES:** This rule will be effective on March 25, 1996 unless we receive written adverse comments or written notice of intent to submit adverse comments on or before February 22, 1996.

**ADDRESSES:** Please send an original and three copies of any adverse comments or notice of intent to submit adverse comments to Docket No. 95-092-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737-1238. Please state that your submission refers to Docket No. 95-092-1. Submissions 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 and notices are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joyce Bowling, Staff Veterinarian, Import/Export Animals, National Center for Import and Export, VS, APHIS, 4700 River Road, Unit 39, Riverdale, MD 20737-1231, (301) 734-6479.

**SUPPLEMENTARY INFORMATION:**

**Background**

The animal importation regulations (contained in 9 CFR part 92 and referred to below as the regulations), among other things, prohibit or restrict the importation of certain animals, including horses, into the United States to protect U.S. livestock from communicable diseases. Sections 92.301(c)(2), 92.304(a)(4)(ii), and 92.304(a)(7)(ii) allow certain horses to be imported into the United States from certain countries where contagious equine metritis (CEM) exists if specific requirements to prevent their introducing CEM into the United States are met.

Mares and stallions over 731 days old must be consigned to States that have been approved by the Administrator of the Animal and Plant Health Inspection Service (APHIS) as meeting conditions necessary to ensure that the mares and stallions are free of CEM. These conditions, which concern inspection, treatment, and testing of the mares and stallions, are contained in § 92.304(a)(5) of the regulations for stallions and in § 92.304(a)(8) of the regulations for mares. Alabama and North Carolina have agreed to abide by the State regulations concerning mares and stallions imported from countries where

CEM exists, and have entered into a written agreement with the Administrator, APHIS, to enforce their State laws and regulations, as required by the regulations, to control CEM.

This direct final rule will add Alabama and North Carolina to the list of States approved to receive certain mares (§ 92.304(a)(7)(ii)) imported into the United States from countries where CEM exists. This direct final rule will also add Alabama to the list of States approved to receive certain stallions (§ 92.304(a)(4)(ii)) imported into the United States from countries where CEM exists. (North Carolina is already on the list in § 92.304(a)(4)(ii) of States approved to receive certain stallions imported into the United States from countries where CEM exists.)

**Dates**

We are publishing this rule without a prior proposal because we view this action as noncontroversial and anticipate no adverse public comment. This rule will be effective, as published in this document, 60 days after the date of publication in the Federal Register unless we receive written adverse comments or written notice of intent to submit adverse comments within 30 days of the date of publication of this rule in the Federal Register.

Adverse comments are comments that suggest the rule should not be adopted or that suggest the rule should be changed.

If we receive written adverse comments or written notice of intent to submit adverse comments, we will publish a notice in the Federal Register withdrawing this rule before the effective date. We will then publish a proposed rule for public comment. Following the close of that comment period, the comments will be considered, and a final rule addressing the comments will be published.

As discussed above, if we receive no written adverse comments nor written notice of intent to submit adverse comments within 30 days of publication of this direct final rule, this direct final rule will become effective 60 days following its publication. We will publish a notice to this effect in the Federal Register, before the effective date of this direct final rule, confirming that it is effective on the date indicated in this document.

**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.

We anticipate that fewer than 20 mares and stallions over 731 days old will be imported into the States of Alabama and North Carolina annually from countries where CEM exists. Approximately 200-300 mares and stallions over 731 days old from countries where CEM exists were imported into approved States in fiscal year 1995. During this same period, approximately 2,167 horses of all classes were imported into the United States from countries other than Canada and Mexico through air and ocean ports; approximately 27,565 horses were imported from Canada; and, approximately 15,358 horses were imported from Mexico.

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 92**

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

Accordingly, 9 CFR part 92 is amended as follows:

**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**

1. The authority citation for part 92 continues to read as follows:

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 2.22, 2.80, and 371.2(d).

#### § 92.304 [Amended]

2. Section 92.304 is amended as follows:

a. In paragraph (a)(4)(ii), by adding, in alphabetical order, “The State of Alabama”.

b. In paragraph (a)(7)(ii), by adding, in alphabetical order, “The State of Alabama” and “The State of North Carolina”.

Done in Washington, DC, this 17th day of January 1996.

Terry L. Medley,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–870 Filed 1–22–96; 8:45 am]

BILLING CODE 3410–34–P

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### 12 CFR Parts 1805 and 1806

RIN 1505–AA72

### Community Development Financial Institutions Program; Bank Enterprise Award Program

**AGENCY:** Community Development Financial Institutions Fund, Department of the Treasury.

**ACTION:** Interim rule with request for comment; extension of comment period.

**SUMMARY:** The Department of the Treasury is issuing revisions to the interim regulations for the Community Development Financial Institutions (CDFI) Program and the Bank Enterprise Award (BEA) Program published in the Federal Register on October 19, 1995. The CDFI Program and BEA Program were authorized by the Community Development Banking and Financial Institutions Act of 1994. The programs are designed to facilitate the flow of lending and investment capital into distressed communities and to individuals who have been unable to take full advantage of the financial services industry. This action also extends the comment period on the CDFI Program and BEA Program interim regulations published on October 19, 1995 to March 15, 1996.

**DATES:** This interim rule is effective January 23, 1996. Comments on this interim rule must be received on or before March 15, 1996. The comment period on the CDFI Program and BEA Program interim regulations published

in the Federal Register on October 19, 1995 is extended from January 15, 1996 to March 15, 1996.

**ADDRESSES:** All questions or comments concerning this interim rule and the October 19, 1995, CDFI Program and BEA Program interim regulations should be addressed to the Director, Community Development Financial Institutions Fund, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Room 5116, Washington DC 20220.

**FOR FURTHER INFORMATION CONTACT:** Kirsten S. Moy, Director, Community Development Financial Institutions Fund at (202) 622–8662. (This is not a toll free number.)

#### SUPPLEMENTARY INFORMATION:

##### I. General

##### *Executive Order (E.O.) 12866*

It has been determined that this regulation is not a significant regulatory action as defined in E.O. 12866.

##### *Regulatory Flexibility Act*

Because no notice of proposed rulemaking is required for this interim rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply. Moreover, the Department of the Treasury finds that any economic or other consequence of this interim rule are a direct result of the implementation of statutory provisions.

##### *Administrative Procedure Act*

Pursuant to the provisions of 5 U.S.C. 553(a)(2), these regulations are exempt from the proposed rulemaking requirements of 5 U.S.C. 553(b) and are being issued as interim regulations without opportunity for notice and public comment prior to their effective date. Furthermore, the Department for good cause finds that notice and public comment prior to effect are impracticable and contrary to the public interest. This interim regulation is intended to amend the interim regulations for the CDFI Program and BEA Program that were published on October 19, 1995. The purpose of the amendments is to clarify several provisions of the October 19 interim regulations prior to the application deadline (January 29, 1996) for both programs. The amendments will also give applicants greater flexibility in the type of information the Fund will accept as part of an application—thus, reducing paperwork burden.

### *Catalog of Federal Financial Assistance Numbers*

Community Development Financial Institutions Program—21.020; Bank Enterprise Award Program—21.021.

#### II. Background

On October 19, 1995, the Fund published interim regulations in the Federal Register for the Community Development Financial Institutions Program (12 CFR part 1805) and the Bank Enterprise Award Program (12 CFR part 1806). Subsequent to the publication of such interim regulations, the Fund has developed policies to clarify several provisions in the interim regulations. The technical revisions contained in this interim rule will provide greater flexibility in the types of information that may be submitted as part of an application and thereby reduce the paperwork and regulatory burden for applicants. The Fund is extending the comment period on the interim regulations published on October 19, 1995 and these amendments to such interim regulations to March 15, 1996.

#### III. Community Development Financial Institutions Program

Under the CDFI Program (12 CFR part 1805), the Fund will provide financial and technical assistance to selected applicants to engage in certain community development activities. The following summarizes the revisions to the regulations.

##### *Subpart A—General Provisions*

Section 1805.104(n) is revised to change the definition of the term “Comprehensive Business Plan” such that it covers a period of not less than the next five years—rather than a period of not less than the next five fiscal years. The revision will provide greater flexibility to Applicants in the manner in which they can prepare projections.

##### *Subpart B—Eligibility*

Section 1805.201 is revised to clarify that the Fund may revoke a CDFI certification for good cause.

##### *Subpart F—Matching Funds Requirements*

Subpart F of the CDFI Program is revised to clarify two provisions concerning the use of certain funds for meeting the matching funds requirements. The revision to § 1805.600 clarifies that private funds that have been used to satisfy a legal requirement for obtaining monies from other Federal programs shall not be used to meet the matching funds requirements of the CDFI Program. In