Rules and Regulations

Federal Register
Vol. 61, No. 149
Thursday, August 1, 1996

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OFFICE OF GOVERNMENT ETHICS

5 CFR Part 2634

RIN 3209–AA06

Public Financial Disclosure, Conflicts of Interest, and Certificates of Divestiture for Executive Branch Officials; Correction

AGENCY: Office of Government Ethics (OGE).

ACTION: Final rule; correction.

SUMMARY: This document corrects a typographical error in the text of one of the amended regulatory provisions of the final rule on executive branch certificates of divestiture, which was published by OGE in the Federal Register on Tuesday, June 25, 1996 (61 FR 32633–32636).

EFFECTIVE DATE: July 25, 1996.

FOR FURTHER INFORMATION CONTACT: William E. Gressman, Office of Government Ethics; telephone: 202–208–8000, extension 1110; FAX: 202–208–8037.

SUPPLEMENTARY INFORMATION: In the above-noted final rule document published by OGE, the regulatory text at newly added paragraph (e)(1) of § 2634.1002 of 5 CFR contained a reference to paragraphs (e)(2) through ''(g)(6)'' of that section, whereas in fact it was intended to refer to paragraphs (e)(2) through ''(e)(6)'' thereof. This correction document corrects that error.

Approved: July 29th, 1996.

F. Gary Davis,

Deputy Director, Office of Government Ethics.

For the reasons set forth in the preamble, the Office of Government Ethics is correcting the June 25, 1996 publication of the final rule amendments on Public Financial Disclosure, Conflicts of Interest, and Certificates of Divestiture for Executive Branch Officials, which was the subject of FR Doc. 96–15970, as follows:

On page 32636, in the second column, in the ninth line of the regulatory text of paragraph (e)(1) of § 2634.1002, the reference to ''(g)(6)'' is corrected to read ''(e)(6)''.

[FR Doc. 96–19605 Filed 7–31–96; 8:45 am]

BILLING CODE 6345–01–U

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 26

RIN 0560–AE63

Removal of Duplicate Cotton and Rice Regulations

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This rule removes unnecessary, duplicative regulations concerning the formulas by which the world prices of cotton and rice are calculated. This action is being taken as part of the National Performance Review.

EFFECTIVE DATE: July 31, 1996.

FOR FURTHER INFORMATION CONTACT: Gene S. Rosera, Agricultural Economist, Food Grains Analysis Division, Farm Service Agency, U.S. Department of Agriculture, AG BOX 0518, P.O. Box 2415, Washington, DC 20013–2415 or telephone 202–720–3452.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be not significant and was not reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Regulatory Flexibility Act

The Regulatory Flexibility Act is not applicable to this rule because the Commodity Credit Corporation (CCC) is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Environmental Evaluation

This action will have no significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Federal Assistance Program

The titles and numbers of the Federal Assistance Programs, as found in the Catalog of Federal Domestic Assistance, to which this rule applies, are: Cotton Production Stabilization—10.052 and Rice Production Stabilization—10.065.

Executive Order 12778

This rule has been reviewed in accordance with Executive Order 12778. The provisions of this rule do not preempt State laws, are not retroactive, and do not require the exhaustion of any administrative appeal remedies.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Paperwork Reduction Act

The amendments to 7 CFR part 26 set forth in this rule do not contain information collections that require clearance by OMB under the provisions of 44 U.S.C. 35.

Background

This final rule removes duplicate regulations. The regulations at 7 CFR part 26, Subpart A, were originally issued to establish the formula for calculating the world price for upland cotton. These regulations were subsequently duplicated at 7 CFR part 1427.25 but were not removed from their original location. Similarly, the regulations at 7 CFR part 26, subpart B, were originally issued to establish the formula for calculating the world price for rice. These regulations were duplicated at 7 CFR part 1421.25 but also were not removed from their original location. There being no need for such duplication, this rule removes the needless regulations under 7 CFR part 26.

List of Subjects in 7 CFR Part 26

Rice, Upland cotton, World market price.

Accordingly, under the authority at 7 U.S.C. 1441–2, 7 CFR part 26 is removed and reserved.

Signed at Washington, DC, on July 24, 1996.

Dan Glickman,

Secretary.

[FR Doc. 96–19545 Filed 7–31–96; 8:45 am]

BILLING CODE 3410–05–P

Agricultural Marketing Service

7 CFR Part 928

[Docket No. FV96–928–1 FIR]

Papayas Grown in Hawaii; Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is adopting as a final rule, without change, the provisions of an interim final rule establishing an assessment rate for the Papaya Administrative Committee (Committee) under Marketing Order No. 928 for the 1996–97 and subsequent fiscal periods. The Committee is responsible for local administration of the marketing order which regulates the handling of papayas grown in Hawaii. Authorization to assess papaya handlers enables the Committee to incur expenses that are reasonable and necessary to administer the program.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Kate Nelson, Marketing Assistant, California Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 2202 Monterey Street, suite 102B, Fresno, California 93721, telephone (209) 487–5901, FAX (209) 487–5906, or Charles L. Rush, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone (202) 720–5127, FAX (202) 720–5698. Small businesses may request information on compliance with this regulation by contacting: Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone (202) 720–2491, FAX (202) 720–5698.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 928 and Order No. 928, both as amended (7 CFR part 928), regulating the handling of papayas grown in Hawaii, hereinafter referred to as the ''order.'' The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, handlers of papayas grown in Hawaii are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as issued herein will be applicable to all assessable papayas beginning July 1, 1996, and continuing until amended, suspended, or terminated. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 400 producers of papayas in the production area and approximately 60 handlers subject to regulation under the marketing order. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000. The majority of papaya producers and handlers may be classified as small entities.

The papaya marketing order provides authority for the Committee, with the approval of the Department, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers and handlers of papayas grown in Hawaii. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

The Committee met on April 26, 1996, and unanimously recommended 1996–97 expenditures of $485,300 and an assessment rate of $0.0059 per pound of papayas. In comparison, last year's budgeted expenditures were $435,800. The assessment rate of $0.0059 is the same as last year's established rate. Major expenditures recommended by the Committee for the 1996–97 year include $160,000 for marketing and promotion activities, $130,000 for research and development, and $67,000 for salaries. Budgeted expenses for these items in 1995–96 were $165,500, $115,000, and $67,000 respectively.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected shipments of papayas grown in Hawaii. Papaya shipments for the year are estimated at 30 million pounds which should provide $177,000 in assessment income. Income derived from handler assessments, the Hawaii Department of Agriculture, the USDA's Foreign Agricultural Service, the County of Hawaii, and the Japanese Inspection program, along with interest income and funds from the Committee's authorized reserve, will be adequate to cover budgeted expenses. Funds in the reserve will be kept within the maximum permitted by the order.

An interim final rule regarding this action was published in the June 4, 1996, issue of the Federal Register (61 FR 28000). That rule provided for a 30-day comment period. No comments were received.

While this rule will impose some costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the costs may be