

One respondent requested that the FCA clarify whether a 75-percent vote is needed to reinstate cumulative voting. The FCA does not require a supermajority to reinstate cumulative voting. The FCA believes that such a vote should be subject to the amendment procedures established by the FCB's bylaws.

List of Subjects in 12 CFR Part 615

Accounting, Agriculture, Banks, Banking, Government securities, Investments, Rural areas.

For the reasons stated in the preamble, part 615 of chapter VI, title 12 of the Code of Federal Regulations is amended as follows:

PART 615—FUNDING AND FISCAL AFFAIRS, LOAN POLICIES AND OPERATIONS, AND FUNDING OPERATIONS

1. The authority citation for part 615 continues to read as follows:

Authority: Secs. 1.5, 1.7, 1.10, 1.11, 1.12, 2.2, 2.3, 2.4, 2.5, 2.12, 3.1, 3.7, 3.11, 3.25, 4.3, 4.3A, 4.9, 4.14B, 4.25, 5.9, 5.17, 6.20, 6.26, 8.0, 8.3, 8.4, 8.6, 8.7, 8.8, 8.10, 8.12 of the Farm Credit Act (12 U.S.C. 2013, 2015, 2018, 2019, 2020, 2073, 2074, 2075, 2076, 2093, 2122, 2128, 2132, 2146, 2154, 2154a, 2160, 2202b, 2211, 2243, 2252, 2278b, 2278b-6, 2279aa, 2279aa-3, 2279aa-4, 2279aa-6, 2279aa-7, 2279aa-8, 2279aa-10, 2279aa-12); sec. 301(a) of Pub. L. 100-233, 101 Stat. 1568, 1608.

Subpart I—Issuance of Equities

2. Section 615.5230 is amended by revising paragraph (a)(2)(ii) to read as follows:

§ 615.5230 Implementation of cooperative principles.

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

(ii) Have the right to vote in the election of each director and be allowed to cumulate such votes and distribute them among the candidates in the shareholder's discretion, except that cumulative voting for directors may be eliminated if 75 percent of the associations that are shareholders of the Farm Credit Bank vote in favor of elimination. In a vote to eliminate cumulative voting, each association shall be accorded one vote.

* * * * *

Dated: September 16, 1997.

Floyd Fithian,
Secretary, Farm Credit Administration Board.
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

Indirect Food Additives: Polymers

CFR Correction

In Title 21 of the Code of Federal Regulations, parts 170 to 199, revised as of April 1, 1997, make the following correction:

On page 263, in § 177.1520, in the paragraph (b) table, the third entry under the heading "Substance" is corrected to read "Polymethylsilsesquioxane (CAS Reg. No. 68554-70-1)".

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

Oregon State Plan; Approval of Plan Supplements; Changes in Level of Federal Enforcement, Including Umatilla Indian Reservation

AGENCY: Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

ACTION: Final rule.

SUMMARY: This document gives notice of the approval of a State-initiated plan change and assumption of Federal OSHA enforcement authority in the State of Oregon over all private sector establishments, including tribal and Indian-owned enterprises, on all Indian and non-Indian lands within the currently established boundary of the Umatilla Indian Reservation, and on lands outside the reservation that are held in trust by the Federal government for the Confederated Tribes of the Umatilla (Umatilla Tribes). Oregon OSHA will retain its enforcement jurisdiction over public sector (State and local government) employees working on these lands.

This document also gives notice of the approval of several other changes in the level of Federal enforcement in the State of Oregon. A 1991 addendum to Oregon's operational status agreement contained four changes to the circumstances under which Federal enforcement jurisdiction may be exercised within the State, including situations where Oregon is refused entry to an establishment. In addition, Oregon

has assumed responsibility for worker protection at Superfund sites (except on military bases) and with regard to private contractors working on U.S. Army Corps of Engineers dam construction projects, as reflected in a 1992 Memorandum of Understanding between Federal OSHA and the State of Oregon.

OSHA is hereby amending its regulation on approved plans to reflect these changes to the level of Federal enforcement authority in Oregon, and correcting a few typographical errors.

EFFECTIVE DATE: September 24, 1997.

FOR FURTHER INFORMATION CONTACT: Bonnie Friedman, Director, Office of Public Affairs, Occupational Safety and Health Administration, Room N3647, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone (202) 219-8148.

SUPPLEMENTARY INFORMATION:

A. Background

Section 18 of the Occupational Safety and Health Act of 1970 (the Act), 29 U.S.C. 667, provides that States which wish to assume responsibility for developing and enforcing their own occupational safety and health standards may do so by submitting, and obtaining Federal approval of, a State plan. State plan approval occurs in stages which include initial approval under section 18(c) of the Act and, ultimately, final approval under section 18(e). In the interim, between initial approval and final approval, there is a period of concurrent Federal/State jurisdiction within a State operating an approved plan. See 29 CFR 1954.3 for guidelines and procedures.

The Oregon Occupational Safety and Health State plan was approved under section 18(c) of the Act and part 1902 of this chapter on December 28, 1972 (37 FR 28628). On January 23, 1975, OSHA and the State of Oregon entered into an Operational Status Agreement which suspended the exercise of Federal concurrent enforcement authority in all except specifically identified areas. The agreement was amended on December 12, 1983 and on November 27, 1991. Except for this last amendment, the pertinent provisions concerning level of Federal enforcement in Oregon are codified at 29 CFR 1952.105.

By letters of April 29, 1997 and July 14, 1997 from Peter DeLuca, Administrator, Oregon Occupational Safety and Health Division (OR-OSHA) to Richard Terrill, Acting Regional Administrator, the State of Oregon has requested that Federal OSHA assume enforcement authority in Oregon over