

handlers. The benefits of providing another tool to the industry to assist them in making business decisions far outweigh the estimated 5 minutes it will take to complete the form. Further, any additional reporting may be offset by reduced reporting for those handlers choosing to utilize this option in lieu of other options available for satisfying reserve obligations. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

As noted in the initial regulatory flexibility analysis, the Department has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule. Information generated by State, Federal, and private sector reports pertains to almonds in general and does not contain specific producer and handler information. Therefore, such information would not be detailed enough to be used for the specific purposes required under the order.

The amendment to the marketing order was voted on in a referendum and was overwhelmingly supported by almond growers. This rule will establish procedures to implement the amendment that authorized transfers of reserve obligations. There are no alternatives that would result in the additional flexibility sought by the industry.

In addition, the Board's meeting was widely publicized throughout the almond industry and all interested persons were invited to attend the meeting and participate in Board deliberations on all issues. Like all Board meetings, the February 18, 1997, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. The Board itself is composed of ten industry members, of which five are handlers and five are growers.

A proposed rule concerning this action was issued by the Department on April 4, 1997, and published in the **Federal Register** on April 10, 1997 (62 FR 17569). It was also made available through the Internet by the Office of the Federal Register. A 60 day comment period was provided to allow interested persons to respond to the proposal. No comments were received.

After consideration of all relevant matter presented, including the information and recommendation submitted by the Board and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

The proposed rule regarding the interhandler transfer of almonds also announced the AMS's intent to request a revision to the currently approved information collection requirements issued under the marketing order. The 60 day comment period was also provided to allow interested persons the opportunity to respond to the notice. No comments were received on the information collection requirements.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection requirements that are contained in this rule have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0071.

**List of Subjects in 7 CFR Part 981**

Almonds, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 981 is amended as follows:

**PART 981—ALMONDS GROWN IN CALIFORNIA**

1. The authority citation for 7 CFR part 981 continues to read as follows:

**Authority:** 7 U.S.C. 601-674.

2. In §981.455, paragraph (c) is redesignated as paragraph (d) and a new paragraph (c) is added to read as follows:

**§ 981.455 Interhandler transfers.**

\* \* \* \* \*

(c) *Transfers of reserve withholding obligation.* A handler may transfer reserve withholding obligation to other handlers pursuant to §981.55 after having filed with the Board an ABC Form 11 executed by both handlers. The Board shall approve the transfer upon receipt of the properly completed form.

\* \* \* \* \*

Dated: October 23, 1997.

**Eric M. Forman,**

*Acting Deputy Administrator, Fruit and Vegetable Programs.*

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**NUCLEAR REGULATORY COMMISSION**

**10 CFR Chapter I**

**RIN 3150-AF69**

**Information Collection Requirements; Statutory and Technical Amendments; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on October 6, 1997 (62 FR 52184). This action is necessary to correct an erroneous instruction.

**EFFECTIVE DATE:** October 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Washington, D.C. 20555-0001, telephone (301) 415-7162.

**SUPPLEMENTARY INFORMATION:** On page 52188, in the second column, instruction number 24 is corrected to read, "24. In §60.8, paragraph (a) is revised to read as follows:".

Dated at Rockville, MD, this 22nd day of October 1997.

For the Nuclear Regulatory Commission.

**David L. Meyer,**

*Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.*

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**NATIONAL CREDIT UNION ADMINISTRATION**

**12 CFR Part 792**

**Production of Nonpublic Records and Testimony of NCUA Employees in Legal Proceedings**

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Final rule.

**SUMMARY:** The NCUA amends its rules regarding subpoenas seeking nonpublic records or the testimony of NCUA employees. The rule provides procedures, requirements and information on how the NCUA will handle these matters and expressly prohibits any disclosure or testimony except as provided by the rule. The rule also amends the current rule regarding release of NCUA records that are exempt from disclosure under the Freedom of