

**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service****9 CFR Part 50**

[Docket No. 97-061-2]

**Expenses Associated With Transporting and Disposing of Tuberculosis-Exposed Animals**

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the regulations concerning animals destroyed because of tuberculosis to allow the U.S. Department of Agriculture to pay herd owners some of their expenses for transporting tuberculosis-exposed cattle, bison, and cervids to slaughter or to the point of disposal, and for disposing of the animals. Prior to the interim rule, herd owners could only receive help with these costs for affected animals. Consequently, herd owners in some cases elected to keep exposed animals in a herd until testing revealed them to be either free of tuberculosis or affected with tuberculosis, or elected not to depopulate an affected herd, providing opportunity for further spread of the disease. The interim rule also made minor changes to the provisions for paying some of the expenses for transporting tuberculosis-affected animals to the point of disposal and disposing of them. The interim rule was necessary to ensure continued progress toward eradicating tuberculosis in the U.S. livestock population.

**EFFECTIVE DATE:** The interim rule was effective on September 17, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mitchell A. Essey, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, 4700 River Road, Unit 36, Riverdale MD 20737-1231, (301) 734-7727.

**SUPPLEMENTARY INFORMATION:****Background**

In an interim rule effective September 17, 1997, and published in the **Federal Register** on September 23, 1997 (62 FR 49590-49593, Docket No. 97-061-1), we amended the regulations in 9 CFR 50.8 to allow the U.S. Department of Agriculture (the Department) to pay herd owners one-half the expenses of transporting tuberculosis-exposed cattle, bison, and cervids to slaughter or to the point of disposal, and for disposing of

the animals. The interim rule also provided that the Department may pay more than one-half of the expenses when the Administrator of the Animal and Plant Health Inspection Service (APHIS) determines that doing so will contribute to the tuberculosis eradication program. Prior to this interim rule, herd owners could only receive help with these costs for affected animals. We also amended § 50.8 in the interim rule to allow the Department to pay herd owners of tuberculosis-affected cattle, bison, and cervids more than one-half of the expenses of transporting the animals to slaughter or the point of disposal, and for disposing of the animals when the Administrator of APHIS determines that doing so will contribute to the tuberculosis eradication program. In addition, we amended § 50.8 to remove the provisions concerning forms for payment of expenses for disposal or transportation of tuberculosis-affected animals, and we amended § 50.8 to remove the provision that the Department will not pay any portion of the expenses for transporting or disposing of affected animals when the transportation or disposal is provided by the owner of the affected animals.

Comments on the interim rule were required to be received on or before November 24, 1997. We received one comment by that date. The commenter supported the interim rule as written. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

**List of Subjects in 9 CFR Part 50**

Animal diseases, Bison, Cattle, Hogs, Indemnity payments, Reporting and recordkeeping requirements, Tuberculosis.

**PART 50—ANIMALS DESTROYED BECAUSE OF TUBERCULOSIS**

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 50 and that was published at 62 FR 49590-49593 on September 23, 1997.

**Authority:** 21 U.S.C. 111-113, 114, 114a, 114a-1, 120, 121, 125, and 134b; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 12th day of December 1997.

**Craig A. Reed,**

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

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**FEDERAL RESERVE SYSTEM****12 CFR Part 203**

[Regulation C; Docket No. R-0993]

**Home Mortgage Disclosure**

AGENCY: Board of Governors of the Federal Reserve System.

AGENCY: Final rule; staff commentary.

**SUMMARY:** The Board is publishing revisions to its staff commentary that interprets the requirements of Regulation C (Home Mortgage Disclosure). The Board is required to adjust annually the asset-size exemption threshold for depository institutions based on the annual percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers. The adjustment reflects changes for the twelve-month period ending in November. In 1998, depository institutions with assets totaling \$29 million or less are not required to collect data.

**DATES:** *Effective date.* This rule is effective January 1, 1998.

*Applicability date.* This rule applies to all data collection in 1998.

**FOR FURTHER INFORMATION CONTACT:**

Pamela C. Morris, Staff Attorney, Division of Consumer and Community Affairs, at (202) 452-3667; for users of Telecommunications Device for the Deaf (TDD) only, contact Diane Jenkins at (202) 452-3544.

**SUPPLEMENTARY INFORMATION:****I. Background**

The Home Mortgage Disclosure Act (HMDA; 12 U.S.C. 2801 *et seq.*) requires most mortgage lenders located in metropolitan statistical areas to collect data about their housing-related lending activity. Annually, lenders must file reports with their federal supervisory agencies and make disclosures available to the public. The Board's Regulation C (12 CFR part 203) implements HMDA. Provisions of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (Pub. L. 104-208, 110 Stat. 3009) amended HMDA to modify the exemption threshold for small depository institutions. Until 1997, HMDA exempted depository institutions with assets of \$10 million or