

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### 7 CFR Part 1703

#### Distance Learning and Telemedicine Loan and Grant Program; Correction

AGENCY: Rural Utilities Service, USDA.

ACTION: Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations which were published Friday, June 13, 1997 (62 FR 32434). The regulations related to RUS' policy and requirements for submitting an application for financial assistance, and the method of selecting projects to receive loans and grants and allocating the available funds for the Distance Learning and Telemedicine Loan and Grant Program.

**EFFECTIVE DATE:** January 26, 1998.

**FOR FURTHER INFORMATION CONTACT:** Ken B. Chandler, Acting Assistant Administrator-Telecommunications Program, Rural Utilities Service, STOP 1590, Room 4056, South Building, 1400 Independence Avenue, SW., Washington, DC 20250-1590. Telephone (202) 720-9554, Facsimile (202) 720-0810.

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations that are the subject of these corrections affect persons applying for loans or grants under 7 CFR Part 1703, Subpart D.

##### Need for correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

##### List of Subjects in 7 CFR Part 1703

Community development, Grant programs—education, Grant programs—health care, Grant programs—housing

and community development, Loan programs—education, Loan programs—health care, Loan programs—housing and community development, Reporting and recordkeeping requirements, Rural areas.

Accordingly, 7 CFR part 1703, subpart D, is corrected by making the following correcting amendments:

#### PART 1703—RURAL DEVELOPMENT

1. The authority citation for Part 1703 continues to read as follows:

**Authority:** 7 U.S.C. 901 *et seq.* and 950aaa *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

2. In § 1703.102, the definition of *Comprehensive rural telecommunications plan* is removed and the definition for *Telecommunications Systems Plan* is added in alphabetical order to read as follows:

##### § 1703.102 Definitions.

\* \* \* \* \*

*Telecommunications Systems Plan* means the plan submitted by an applicant in accordance with § 1703.109(f).

\* \* \* \* \*

##### § 1703.103 [Amended]

3. In § 1703.103, paragraph (a)(3) is amended by adding the words "or loan" after the word "grant".

4. In § 1703.107, paragraph (a)(5) is revised to read as follows:

##### § 1703.107 Ineligible loan and grant purposes.

\* \* \* \* \*

(5) To purchase equipment that will be owned by the local exchange carrier or another telecommunications service provider, unless such carrier or provider is the recipient of the financial assistance being provided under this subpart;

\* \* \* \* \*

##### § 1703.109 [Amended]

5. In § 1703.109, paragraph (h) introductory text is amended by removing the word "statues" in the first sentence and adding in its place the word "statutes".

6. In § 1703.113, the third sentence in paragraph (b), and the entire paragraph (c) are revised to read as follows:

##### § 1703.113 Application filing dates, location, processing, and public notification.

\* \* \* \* \*

(b) \* \* \* To be considered for loan funds during the fiscal year (FY) that the application is submitted, any information needed to complete the application must be postmarked no later than August 14. \* \* \*

(c) Applications requesting grant funds must be submitted to RUS and postmarked not later than June 1 if the applications are to be considered during the fiscal year the application is submitted. It is suggested that applications be submitted prior to the above deadline to ensure they can be reviewed and considered complete by the deadline. RUS will review each application for completeness in accordance with § 1703.109, and notify the applicant, within 15 working days of the results of this review, citing any information which is incomplete. To be considered for grant funds, the applicant must submit the information to complete the application by June 1. If the applicant fails to submit such information by the appropriate deadline, the application will be considered during the next fiscal year.

\* \* \* \* \*

##### § 1703.122 [Amended]

7. In § 1703.122, in paragraph (e) introductory text the word "that" is added after the phrase "if any,".

Dated: January 16, 1998.

**Wally Beyer,**

*Administrator, Rural Utilities Service.*

[FR Doc. 98-1737 Filed 1-23-98; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 78

[Docket No. 97-082-2]

#### Brucellosis in Cattle; State and Area Classifications; California

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 brucellosis regulations concerning the interstate movement of cattle by changing the classification of California from Class A to Class Free. We have determined that California meets the standards for Class Free status. The interim rule was necessary to relieve certain restrictions on the interstate movement of cattle from California.

**EFFECTIVE DATE:** The interim rule was effective on October 15, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. R. T. Rollo, Jr., Staff Veterinarian, National Animal Health Programs, VS, APHIS, Suite 3B08, 4700 River Road Unit 36, Riverdale, MD 20737-1231, (301) 734-7709; or e-mail: rrollo@aphis.usda.gov.

**SUPPLEMENTARY INFORMATION:**

**Background**

In an interim rule effective and published in the **Federal Register** on October 15, 1997 (62 FR 53531-53532, Docket No. 97-082-1), we amended the brucellosis regulations in 9 CFR part 78 by removing California from the list of Class A States in § 78.41(b) and adding it to the list of Class Free States in § 78.41(a).

Comments on the interim rule were required to be received on or before December 15, 1997. We did not receive any comments. 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 78**

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

**PART 78—BRUCELOSIS**

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 62 FR 53531-53532 on October 15, 1997.

**Authority:** 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 20th day of January 1998.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-1777 Filed 1-23-98; 8:45 am]

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**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Part 93**

[Docket No. 96-052-3]

**Horses from Mexico; Quarantine Requirements**

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

**ACTION:** Final rule.

**SUMMARY:** We are amending the regulations regarding the importation of horses from Mexico to remove the requirement that such horses be quarantined for not less than 7 days in vector-proof quarantine facilities before being imported into the United States. This action is warranted because Mexico has reported no cases of Venezuelan equine encephalomyelitis (VEE) in more than a year, and we have determined that horses imported into the United States from Mexico without a 7-day quarantine will not pose a risk of transmitting VEE to horses in the United States.

**EFFECTIVE DATE:** February 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road, Unit 38, Riverdale, MD 20737-1231, (301) 734-3276.

**SUPPLEMENTARY INFORMATION:**

**Background**

The regulations in 9 CFR part 93 (referred to below as "the regulations") govern the importation into the United States of specified animals and animal products, including horses from Mexico, to prevent the introduction into the United States of various animal diseases.

On August 8, 1997, we published in the **Federal Register** (62 FR 42705-42707, Docket No. 96-052-2) a proposal to amend the regulations to remove the requirement that horses imported into the United States from Mexico be quarantined for not less than 7 days in a vector-free facility. With this change, horses imported into the United States from Mexico would only need to be

quarantined for an average of 3 to 4 days.

We also proposed to remove the requirement that horses from Mexico intended for importation into the United States through land border ports be quarantined in Mexico at a facility approved by the Administrator of the Animal and Plant Health Inspection Service (APHIS) and constructed so as to prevent the entry of mosquitoes and other hematophagous insects.

At the time that we published our proposal, the requirements for horses imported into the United States from Mexico were in regulations designated as 9 CFR part 92. As a result of a final rule published in the **Federal Register** on October 28, 1997 (62 FR 56000-56026, Docket No. 94-106-9), and effective on November 28, 1997, the regulations for importing animals have been redesignated as 9 CFR part 93.

We solicited comments concerning the proposed rule for 60 days ending October 7, 1997. We received 4 comments by that date. They were from representatives of industry. Two of the commenters supported the proposed rule. The remaining commenters had concerns about the proposed rule. Those concerns are discussed below.

One commenter felt that a year of disease-free status is not long enough to ensure that Mexico is free from VEE. Accordingly, the commenter suggested that we retain the 7-day quarantine for horses entering the United States from Mexico.

The standing policy of Veterinary Services, APHIS, is to propose to reduce the quarantine required for horses from a region when that region's last confirmed case of VEE occurred at least 1 year ago. This policy was implemented during the last outbreak of VEE in the State of Chiapas, Mexico, in 1993. One year of disease free status provides us with confidence that the outbreak is under control, that the disease is not spreading, and that the region has implemented effective measures to contain the disease. At this time, the last confirmed case of VEE in Mexico was reported almost 18 months ago, and there appears to be no reason to continue requiring the 7-day quarantine for horses entering the United States from Mexico. Therefore, we are making no changes to the proposed rule in response to this comment.

Both commenters expressing concerns maintained that Mexico has less stringent criteria than the United States regarding the movement of horses into and out of the country and noted that, because the United States is expected to abide by the European Union's strict