and that an exclusive representative ''shall file with the Authority its response to the statement.'' Consistent with section 7117(c)(5), the Authority, in its discretion, may hold a hearing on the petition for review before making a determination.

3. Issues on Which Comments Are Requested

Following are several groups of subjects on which the Task Force is seeking comments. This is not intended to be an exclusive list; comment on any matter relevant to the processing of petitions for review in negotiability appeals is invited.

a. Alternative Dispute Resolution (ADR) in the Negotiability Appeal Process

Should the Authority require and/or offer ADR services to the parties as part of the negotiability appeal process? If the Authority requires the parties to participate in ADR in connection with the negotiability appeal process, are there any particular issues that the Authority should consider in the drafting of its amendments to the negotiability regulations?

b. Compliance With Procedural Requirements

What consequences, if any, should result from either an agency's failure to file a statement of position, as required by section 7117(c)(3)(A) of the Statute or an exclusive representative's failure to file a response to this statement, as required by section 7117(c)(4) of the Statute?

Under what circumstances, if any, should the Authority exercise its authority under section 7117(c)(5) of the Statute to hold hearings?

Are there any general requirements, in addition to those set forth in part 2429 of the Authority's regulations, that the Authority should consider in drafting its amendments to the negotiability regulations?

c. The Meaning of a Proposal or Provision

What burdens should the Authority place on the parties with respect to the meaning of proposals or provisions, the factual record, and the arguments? Where the Authority is unable to determine the meaning of a proposal or provision, what action should the Authority take?

d. The Relationship Between Issues Arising Under the Negotiability Appeal Process and the Unfair Labor Practice Process

Should the Authority modify its procedure for processing complaints alleging unfair labor practices and negotiability petitions? If so, how should the Authority process cases involving alleged unfair labor practices and negotiability petitions?

How should ''duty to bargain issues'' (such as whether a matter is ''covered by'' an existing agreement or whether a union has waived its right to bargain) as opposed to ''scope of bargaining'' issues (whether a proposal is consistent with law, rule, or regulation) be addressed when arising in connection with a negotiability appeal?

e. Authority Orders in Decisions on Review of Negotiability Appeals; Compliance With the Authority's Orders

Part 2424.10 of the Authority's regulations currently provides that, if in a decision the Authority finds that the duty to bargain extends to ''a matter proposed to be bargained,'' then the Authority shall include a bargaining order and, if the Authority finds that the duty to bargain does not extend to the matter, or that the duty extends to the matter ''only at the election of the agency,'' then the Authority shall dismiss the petition for review.

Should the regulations be modified to include other orders? If so, what other orders should be included and in what circumstances should they be used?

Should the Authority's regulations concerning compliance with negotiability orders be modified? If so, how should the Authority address a party's failure to comply with the Authority's negotiability order?

f. Proposals for Bargaining and Provisions Subject to Agency-Head Review

Should the Authority's negotiability regulations differ depending on whether the petition for review concerns a proposal for bargaining or a provision that has been agreed on and subsequently disapproved?

g. Other Issues

The foregoing questions are not intended to exclude any other subjects relevant to the negotiability appeal process. What other subjects relevant to the negotiability appeal process should the Authority consider in developing amendments to the existing negotiability regulations?

(Authority: 5 U.S.C. 7105(a)(2)(E) and (I)).

Dated: April 15, 1998.

Solly Thomas,

Executive Director, Federal Labor Relations Authority.

[FR Doc. 98–10390 Filed 4–17–98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 29

[Docket No. TB–97–17]

Tobacco Inspection—Growers Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of referendum.

SUMMARY: This document announces that a referendum will be conducted by mail during the period of April 27–May 1, 1998, for producers of flue-cured tobacco who sell their tobacco at auction in Tabor City-Whiteville, North Carolina, and Loris, South Carolina, to determine producer approval of the designation of the Tabor City-Whiteville and Loris tobacco markets as one consolidated auction market.

DATES: The referendum will be held April 27–May 1, 1998.

FOR FURTHER INFORMATION CONTACT: William Coats, Associate Deputy Administrator, Tobacco Programs, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, Washington, D.C. 20090–6456; telephone number (202) 205–0508.

SUPPLEMENTARY INFORMATION: Notice is hereby given of a mail referendum on the designation of a consolidated auction market at Tabor City-Whiteville, North Carolina, and Loris, South Carolina. Tabor City-Whiteville, North Carolina, was designated on June 5, 1997, (7 CFR 29.8001) as flue-cured tobacco auction market and Loris, South Carolina, was designated on August 16, 1941, under the Tobacco Inspection Act (7 U.S.C. 511 *et seq.*). Under this Act those markets have been receiving mandatory grading services from USDA.

On September 11, 1997, an application was made to the Secretary of Agriculture to consolidate the designated markets of Tabor City-Whiteville, North Carolina, and Loris, South Carolina. The application, filed by warehouse operators on those markets, was made pursuant to the regulations promulgated under the Tobacco Inspection Act (7 CFR Part 29.1–29.3). On November 5, 1997, a public hearing was held in Tabor City, North Carolina, pursuant to the regulations. A Review Committee, established pursuant to § 29.3(h) of the regulations 7 CFR 29.3(h), has reviewed and considered the application, the testimony presented at the hearing, the exhibits received in evidence, and other

available information. The Committee recommended to the Secretary that the application be granted and the Secretary approved the application on March 16, 1998.

Before a new market can be officially designated, a referendum must be held to determine that a two-thirds majority of producers favor the designation. It is hereby determined that the referendum will be held by mail during the period of April 27–May 1, 1998. The purpose of the referendum is to determine whether farmers who sold their tobacco on the designated markets at Tabor City-Whiteville and Loris are in favor of, or opposed to, the designation of the consolidated market for the 1998 and succeeding crop years. Accordingly, if a two-thirds majority of those tobacco producers voting in the referendum favor the consolidation, a new market will be designated as and will be called Tabor City-Whiteville-Loris.

To be eligible to vote in the referendum a tobacco producer must have sold flue-cured tobacco on either the Tabor City-Whiteville, North Carolina, or Loris, South Carolina, auction markets during the 1997 marketing season. Any farmer who believes he or she is eligible to vote in the referendum but has not received a mail ballot by April 27, 1998, should immediately contact William Coats at (202) 205–0508.

The referendum will be held in accordance with the provisions for referenda of the Tobacco Inspection Act, as amended (7 U.S.C. 511d) and the regulations for such referendum set forth in 7 CFR 29.74.

Dated: April 15, 1998.

Enrique E. Figueroa,

Administrator, Agricultural Marketing Service.

[FR Doc. 98–10458 Filed 4–17–98; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 29

[Docket No. TB–97–16]

Tobacco Inspection—Growers Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of referendum.

SUMMARY: This document announces that a referendum will be conducted by mail during the period of April 27–May 1, 1998, for producers of flue-cured tobacco who sell their tobacco at auction in Clarksville and Chase City, Virginia, to determine producer approval of the designation of the Clarksville and Chase City tobacco markets as one consolidated auction market.

DATES: The referendum will be held April 27–May 1, 1998.

FOR FURTHER INFORMATION CONTACT: William Coats, Associate Deputy Administrator, Tobacco Programs, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, Washington, D.C. 20090–6456; telephone number (202) 205–0508.

SUPPLEMENTARY INFORMATION: Notice is hereby given of a mail referendum on the designation of a consolidated auction market at Clarksville and Chase City, Virginia. Clarksville and Chase City were designated on June 26, 1942 (7 CFR 29.8001) as flue-cured tobacco auction markets under the Tobacco Inspection Act (7 U.S.C. 511 *et seq.*). Under this Act those markets have been receiving mandatory grading services from USDA.

On September 3, 1997, an application was made to the Secretary of Agriculture to consolidate the designated markets of Clarksville and Chase City, Virginia. The application, filed by warehouse operators on those markets, was made pursuant to the regulations promulgated under the Tobacco Inspection Act (7 CFR Part 29.1–29.3). On November 7, 1997, a public hearing was held in Clarksville, Virginia, pursuant to the regulations. A Review Committee, established pursuant to § 29.3(h) of the regulations 7 CFR 29.3(h)), has reviewed and considered the application, the testimony presented at the hearing, the exhibits received in evidence, and other available information. The Committee recommended to the Secretary that the application be granted and the Secretary approved the application on March 16, 1998.

Before a new market can be officially designated, a referendum must be held to determine that a two-thirds majority of producers favor the designation. It is hereby determined that the referendum will be held by mail during the period of April 27–May 1, 1998. The purpose of the referendum is to determine whether farmers who sold their tobacco on the designated markets at Clarksville and Chase City are in favor of, or opposed to, the designation of the consolidated market for the 1998 and succeeding crop years. Accordingly, if a two-thirds majority of those tobacco producers voting in the referendum favor this consolidation, a new market will be designated as and will be called Clarksville-Chase City.

To be eligible to vote in the referendum a tobacco producer must have sold flue-cured tobacco on either Clarksville or Chase City, Virginia, auction markets during the 1997 marketing season. Any farmer who believes he or she is eligible to vote in the referendum but has not received a mail ballot by April 27, 1998, should immediately contact William Coats at (202) 205–0508.

The referendum will be held in accordance with the provisions for referenda of the Tobacco Inspection Act, as amended (7 U.S.C. 511d) and the regulations for such referendum set forth in 7 CFR 29.74.

Dated: April 15, 1998.

Enrique E. Figueroa,

Administrator, Agricultural Marketing Service.

[FR Doc. 98–10457 Filed 4–17–98; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 246

RIN 0584–AC50

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): WIC/Food Stamp Program (FSP) Vendor Disqualification

AGENCY: Food and Nutrition Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend regulations governing the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) to implement a mandate of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which requires the disqualification of WIC vendors who are disqualified from the Food Stamp Program (FSP). According to the law, the disqualification shall be for the same length of time as the FSP disqualification and may begin at a later date than the FSP disqualification. Furthermore, the law states that disqualification from WIC on the basis of an FSP disqualification is not subject to judicial or administrative review.

This proposed rule would also mandate uniform sanctions across States for the most serious WIC Program vendor violations, including seven specific WIC Program violations that result in FSP disqualification in addition to WIC Program