

**FOR FURTHER INFORMATION CONTACT:** Heddy Turpin, Acting Chief, Schools and Institutions Branch, Food Distribution Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, Virginia 22302-1594 or telephone (703) 305-2644.

**SUPPLEMENTARY INFORMATION:**

**Executive Order 12372**

This program is listed in the Catalog of Federal Domestic Assistance under Nos. 10.550 and 10.570 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, and final rule-related notices published at 48 FR 29114, June 24, 1983 and 49 FR 22676, May 31, 1984.)

**Paperwork Reduction Act of 1995**

This notice imposes no new reporting or recordkeeping provisions that are subject to Office of Management and Budget review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

**Regulatory Flexibility Act**

This action has been reviewed with regards to the requirements of the Regulatory Flexibility Act of 1980 (5 U.S.C. 601-612). The Administrator of the Food and Nutrition Service (FNS) has certified that this action will not have a significant economic impact and will not affect a substantial number of small entities. The procedures in this notice would primarily affect FNS regional offices, and the State Agencies on aging and local meal providers. While some of these entities constitute small entities, a substantial number will not be affected. Furthermore, any economic impact will not be significant.

**Legislative Background**

Section 310 of Public Law (Pub. L.) 102-375, the Older Americans Act Amendments of 1992, amended section 311(a)(4) of the Older Americans Act of 1965, 42 U.S.C. 3030a(a)(4), to require the Secretary of Agriculture to maintain an annually programmed level of assistance equal to the greater of: (1) The current appropriation divided by the number of meals served in the preceding fiscal year; or (2) 61 cents per meal adjusted annually beginning with Fiscal Year 1993 to reflect changes in the Consumer Price Index. Section 311(c)(2) of the Older Americans Act (42 U.S.C. 3030a(c)(2)) was amended to provide that the final reimbursement claims must be adjusted so as to utilize the entire program appropriation for the

fiscal year for per-meal support. However, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 1996 (Pub. L. 104-37) imposed, for Fiscal Year 1996 and succeeding years, the same NPE rate management requirements as applied to Fiscal Year 1994. That is, Title IV, Domestic Food Programs, of the Appropriations Act provides that “\* \* \* hereafter notwithstanding any other provision of law, for meals provided pursuant to the Older Americans Act of 1965, a maximum rate of reimbursement to States will be established by the Secretary, subject to reduction if obligations would exceed the amount of available funds, with any unobligated funds to remain available only for obligation in the fiscal year beginning October 1, 1996.”

Notwithstanding the initial rates established by the Older Americans Act, the Department is required to comply with the spending clause of the U.S. Constitution and 31 U.S.C. 1341(a)(1)(A) (known as the Antideficiency Act), which prohibit the obligation or expenditure of funds in excess of the available appropriation. Thus the Department is required to establish (and if necessary, adjust) rates in such a manner as to not exceed the program appropriation.

**Fiscal Year 1998 Level of Assistance**

Based on its projection of the number of meals to be claimed during the fiscal year, and in light of constitutional and statutory prohibitions on obligating or spending funds in excess of the available appropriation, the Department announced an initial per-meal reimbursement rate of \$.5607 for Fiscal Year 1998, the highest rate which it believed could be sustained throughout the fiscal year. This initial level of per-meal assistance was announced in the April 2, 1998 **Federal Register** (62 FR 16242).

The Department's meal service projection for Fiscal Year 1998 assumed a slightly higher rate of growth than occurred in the preceding fiscal year. This initial per-meal support level of \$.5607 was sustained throughout Fiscal Year 1998, and thus no adjustment was necessary to keep expenditures within the limit of the \$140 million NPE appropriation established by Pub. L. 104-180. Funds in the estimated amount of \$500 thousand were not paid out for Fiscal Year 1997 and will, in accordance with the legislative mandate in Pub. L. 104-180, be carried over into Fiscal Year 1998 and expended in per-meal reimbursement for that year.

**Fiscal Year 1999 Initial Level of Assistance**

It is the Department's goal to establish the highest rate that can be sustained throughout the fiscal year so as to maximize the flow of program funds to States during the fiscal year. However, the Department wants also to minimize the possibility of a rate reduction and the hardship it causes to program operators. In order to guard against the need for a reduction, the Department, once again, has projected a slightly higher rate of growth in meal service than occurred in the preceding fiscal year. Based on its projections, the Department announces an initial per-meal support level of \$.5539, which will not be increased, and which will be decreased only if necessary to keep expenditures within the limit of the \$140 million NPE Fiscal Year 1999 appropriation established by Pub. L. 105-277. Any of these funds not paid out for Fiscal Year 1999 reimbursement will, in accordance with Pub. L. 105-277, remain available through Fiscal Year 2000. In the unlikely event that the rate needs to be decreased, States will be notified directly.

Dated: February 25, 1999.

**Samuel Chambers,**

*Administrator, Food and Nutrition Service.*

[FR Doc. 99-5226 Filed 3-2-99; 8:45 am]

BILLING CODE 3410-30-U

**DEPARTMENT OF AGRICULTURE**

**Grain Inspection, Packers and Stockyards Administration**

**Designation for the Plainview (TX), Barton (KY), and North Dakota (ND) Areas**

**AGENCY:** Grain Inspection, Packers and Stockyards Administration (GIPSA).

**ACTION:** Notice.

**SUMMARY:** GIPSA announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act):

Plainview Grain Inspection and Weighing Service, Inc. (Plainview); J.W. Barton Grain Inspection Service, Inc. (Barton); and North Dakota Grain Inspection Service, Inc. (North Dakota).

**EFFECTIVE DATES:** June 1, 1999, for Plainview and July 1, 1999, for Barton and North Dakota.

**ADDRESSES:** USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S,

1400 Independence Avenue, S.W.,  
Washington, DC 20250-3604.

**FOR FURTHER INFORMATION CONTACT:**  
Janet M. Hart, at 202-720-8525.

**SUPPLEMENTARY INFORMATION:** This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the October 1, 1998, **Federal Register** (63 FR 52678), GIPSA asked persons interested in providing official services in the geographic areas assigned to Plainview, Barton, and North Dakota to submit an application for designation. Applications were due by October 30, 1998. Plainview, Barton, and North Dakota, the only applicants, each applied for designation to provide official services in the entire area currently assigned to them.

Since Plainview, Barton, and North Dakota were the only applicants, GIPSA did not ask for comments on them.

GIPSA evaluated all available information regarding the designation criteria in Section 7(f)(1)(A) of the Act and, according to Section 7(f)(1)(B), determined that Plainview, Barton, and North Dakota are able to provide official services in the geographic areas for which they applied.

Effective June 1, 1999, and ending March 31, 2002, Plainview is designated to provide official services in the geographic areas specified in the October 1, 1998, **Federal Register**. Effective July 1, 1999, and ending March 31, 2002, Barton and North Dakota are designated to provide official services in the geographic areas specified in the October 1, 1998, **Federal Register**.

Interested persons may obtain official services by contacting Plainview at 806-293-1364, Barton at 502-683-0616, and North Dakota at 701-293-7420.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: February 22, 1998.

**Neil E. Porter,**

*Director, Compliance Division.*

[FR Doc. 99-5224 Filed 3-2-99; 8:45 am]

BILLING CODE 3410-EN-P

## DEPARTMENT OF AGRICULTURE

### National Agricultural Statistics Service

#### Notice of Intent to Extend and Revise a Currently Approved Information Collection

**AGENCY:** National Agricultural Statistics Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), this notice announces the National Agricultural Statistics Service's (NASS) intention to request an extension for and revision to a currently approved information collection, the Agricultural Labor Survey.

**DATES:** Comments on this notice must be received by May 7, 1999 to be assured of consideration.

**FOR FURTHER INFORMATION CONTACT:** Contact Rich Allen, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, 1400 Independence Avenue SW, Room 4117 South Building, Washington, DC 20250-2000, (202) 720-4333.

**SUPPLEMENTARY INFORMATION:**

*Title:* Agricultural Labor Survey.

*OMB Number:* 0535-0109.

*Expiration Date of Approval:*  
September 30, 1999.

*Type of Request:* Intent to extend and revise a currently approved information collection.

*Abstract:* The primary objective of the National Agricultural Statistics Service is to prepare and issue State and national estimates of crop and livestock production. The Agricultural Labor Survey provides statistics on the number of agricultural workers, hours worked, and wage rates. Number of workers and hours worked are used to estimate agricultural productivity. Wage rates are used in the administration of the "H-2A" Program and for setting Adverse Effect Wage Rates. Agricultural Labor Survey data are also used to carry out provisions of the Agricultural Adjustment Act. The Agricultural Labor Surveys has approval from OMB for a 3-year period. NASS intends to request that the survey be approved for another 3 years. These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by Section 1770 of the Food Security Act of 1985, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 15 minutes per response.

*Respondents:* Farms and businesses.

*Estimated Number of Respondents:*  
12,900.

*Estimated Total Annual Burden on Respondents:* 11,000 hours.

Copies of this information collection and related instructions can be obtained without charge from Larry Gambrell, the Agency OMB Clearance Officer, at (202) 720-5778.

#### Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to: Larry Gambrell, Agency OMB Clearance Officer, U.S. Department of Agriculture, 1400 Independence Avenue SW, Room 4162 South Building, Washington, DC 20250-2000. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed at Washington, DC, January 27, 1999.

**Rich Allen,**

*Associate Administrator, National Agricultural Statistics Service.*

[FR Doc. 99-5227 Filed 3-2-99; 8:45 am]

BILLING CODE 3410-20-M

## BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

### Sunshine Act Meeting

**TIME AND DATE:** 2 p.m., Wednesday, March 24, 1999.

**PLACE:** U.S. Cannon House Office Building, Washington, DC 20150.

**STATUS:** The meeting will be open to the public.

#### MATTERS TO BE CONSIDERED:

1. Review and approval of the minutes of the March 18th, 1998 Board of Trustees meeting.

2. Report on financial status of the Foundation fund:

A. Review of investment policy and current portfolio.

3. Report on results of Scholarship Review Panel: