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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1230

[No. LS-00-12]

Pork Promotion, Research, and Consumer Information Program: Procedures for the Conduct of Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Clarification of final rule.

SUMMARY: The purpose of this action is to clarify the intent of the requirement in the Pork Promotion, Research, and Consumer Information Program: Procedures for the Conduct of Referendum, that the telephone number of a person voting in the pork checkoff referendum be included on the registration and certification form. The person's telephone number was for the administrative convenience of Farm Service Agency (FSA) office personnel in processing these forms. A person's otherwise valid ballot will not be invalidated if the person's phone number is not included on the registration and certification form.

EFFECTIVE DATE: November 28, 2000.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief, Marketing Programs Branch, Room 2627-S; Livestock and Seed Program, AMS, USDA; Stop 0251; 1400 Independence Avenue, SW., Washington, DC 20250-0251; telephone number 202/720-1115, fax 202/720-1125, or by e-mail Ralph.Tapp@usda.gov.

SUPPLEMENTARY INFORMATION: Under the Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801-4819), a pork referendum was conducted during the period August 18, 2000, through September 21, 2000. The referendum was conducted

pursuant to referendum rules published July 13, 2000, [65 FR 43498] Pork Promotion, Research, and Consumer Information Program: Procedures for the Conduct of Referendum: final rule. The referendum was conducted among eligible pork producers who owned and sold one or more hogs or pigs and importers who imported pigs, hogs, pork or pork products to determine whether they favored the continuation of the Pork Promotion, Research, and Consumer Information Order. Producer in-person voting in the referendum was held September 19, 20, 21, 2000, at county FSA offices. Producer absentee ballots were available at those offices from August 18, 2000, through September 18, 2000. Importers could obtain ballots from the FSA headquarters office in Washington, DC, from August 18, 2000, through September 21, 2000. The representative period to establish voter eligibility was the period from August 18, 1999, through August 17, 2000.

Persons who wished to vote in the pork checkoff referendum had to complete and sign a registration and certification form that required the minimum information necessary to establish the identity of the person voting and to permit other interested persons an opportunity to challenge a person's vote. The registration and certification forms—Form LS-72-2, In-Person Registration and Certification (Envelope); Form LS-73, Pork Producer Absentee Voting; and Form LS-76, Pork Importer Mail Voting—required that a person include their name and address, or the name and address of the entity they represented if applicable, and the person's telephone number.

During the conduct of the referendum a question was raised concerning whether a ballot would be invalid if no telephone number was included on the registration and certification form. The telephone number was for the FSA county offices' administrative convenience to contact the voter in the event that such contact became necessary. The Agricultural Marketing Service never intended to invalidate an otherwise complete ballot simply because there was no phone number.

Authority: 7 U.S.C. 4801-4819.

Dated: November 22, 2000.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 00-30333 Filed 11-24-00; 9:42 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 3

[Docket No. 95-029-3]

Animal Welfare; Perimeter Fence Requirements; Technical Amendment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule; technical amendment.

SUMMARY: In a final rule published in the *Federal Register* on October 18, 1999, we amended the Animal Welfare regulations to require that a perimeter fence be placed around outdoor housing facilities for marine mammals and certain other regulated animals. This document contains a correction to the list of large felines published in the final rule. Bobcats are not considered large felines and, therefore, we are removing them from the list of large felines that appears in the regulations.

DATES: Effective on November 28, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Barbara Kohn, Staff Veterinarian, Animal Care, APHIS, 4700 River Road Unit 84, Riverdale, MD 20737-1234; (301) 734-7833.

SUPPLEMENTARY INFORMATION:

Background

In a final rule published in the *Federal Register* on October 18, 1999 (64 FR 56142-56148, Docket No. 95-029-2), we amended the Animal Welfare regulations to require that a perimeter fence be placed around outdoor housing facilities for marine mammals and certain other regulated animals.

In the rule portion, § 3.127(d) contains an error in the list of large felines. We identified large felines as "lions, tigers, leopards, cougars, bobcats, etc." However, bobcats are not considered large felines based on generally accepted and published morphometric

(measurement of height, weight, length, girth, etc.) data. Therefore, we are removing bobcats from the list of large felines in § 3.127(d). Based on this change, all outdoor housing facilities (i.e., facilities not entirely indoors) for bobcats would require a 6-foot perimeter fence or an alternative method identified in § 3.127(d)(1), (d)(2), (d)(3), and (d)(4) rather than an 8-foot fence.

This document also revises the authority citation for 9 CFR part 3 to reflect a revision to 7 CFR part 371 that took effect after our final rule was published.

List of Subjects in 9 CFR Part 3

Animal welfare, Marine mammals, Pets, Reporting and recordkeeping requirements, Research, Transportation.

Accordingly, we are amending 9 CFR part 3 as follows:

PART 3—STANDARDS

1. The authority citation for part 3 is revised to read as follows:

Authority: 7 U.S.C. 2131–2159; 7 CFR 2.22, 2.80, and 371.7.

§ 3.127 [Amended]

2. In § 3.127, the second sentence of the introductory text in paragraph (d) is amended by removing the word “bobcats.”.

Done in Washington, DC, this 17th day of November 2000.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 00–30286 Filed 11–27–00; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 29

[Docket No. SW008; Special Conditions No. 29–008–SC]

Special Conditions: Sikorsky Aircraft Corporation Model S–92 Helicopters, High-Intensity Radiated Fields

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special condition; request for comments.

SUMMARY: This special condition is issued for Sikorsky Aircraft Corporation (Sikorsky) Model S–92 helicopters. These helicopters will have novel or unusual design features associated with the installation of electronic systems that perform critical functions. The applicable airworthiness regulations do

not contain adequate or appropriate safety standards to protect systems that perform critical control functions, or provide critical displays, from the effects of high-intensity radiated fields (HIRF). This special condition contains the additional safety standards that the Administrator considers necessary to ensure that critical functions of systems will be maintained when exposed to HIRF.

DATES: The effective date of this special condition is November 13, 2000. Comments must be received on or before January 12, 2001.

ADDRESSES: Comments on this special condition may be mailed in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, Attention: Rules Docket No. SW008, Fort Worth, Texas 76193–0007, or delivered in duplicate to the Office of the Regional Counsel at 2601 Meacham Blvd., Fort Worth, Texas 76137. Comments must be marked: Rules Docket No. SW008. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 8:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT:

Jorge Castillo, FAA, Rotorcraft Directorate, Rotorcraft Standards, Fort Worth, Texas 76193–0110; telephone (817) 222–5127, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: The FAA has determined that notice and opportunity for prior public comment hereon are impracticable because these procedures would significantly delay issuance of the approval design and thus delivery of the affected aircraft. In addition, notice and opportunity for prior public comment are unnecessary since the substance of this special condition has been subject to the public comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making this special condition effective upon issuance.

Comments Invited

Interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or special condition number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered. The special condition may be changed in light of the comments received. All comments received will be available in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel

concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this special condition must include a self-addressed, stamped postcard on which the following statement is made: “Comments to Rules Docket No. SW008.” The postcard will be date stamped and returned to the commenter.

Background

On November 5, 1990, Sikorsky applied for a new type certification of Model S–92 helicopters. Since applying for the new type certification, Sikorsky has requested two extensions of the type certification period. The first extension to August 29, 1999 was approved by the FAA on October 7, 1994, and the second extension to May 31, 2000 was approved on July 21, 1995. Sikorsky Model S–92 helicopters are 19-passenger Transport Category helicopters, powered by two General Electric Model CT7–8 engines. They will incorporate one auxiliary power unit for engine starting and back-up electrical power. The helicopters will have a conventional aluminum structure with some composite parts and highly integrated digital avionics.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Sikorsky must show that Sikorsky Model S–92 helicopters meet the applicable provisions of the regulations as listed below:

- 14 CFR Part 29, Amendment 29–1 through Amendment 29–45, inclusive;
- 14 CFR Part 36, Appendix H, Amendments 36–1 through the amendment effective at the time of certification; and
- Any special conditions, exemptions, and equivalent safety findings deemed necessary.

In addition, the certification basis includes certain special conditions and equivalent safety findings that are not relevant to this special condition.

If the Administrator finds that the applicable airworthiness regulations do not contain adequate or appropriate safety standards for these helicopters because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, Sikorsky Model S–92 helicopters must comply with the noise certification requirements of 14 CFR part 36; and the FAA must issue a finding of regulatory adequacy pursuant