

this rule. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this rule.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection and recordkeeping requirements included in this rule, and there are no new requirements. The assigned OMB control number is 0581-0128.

List of Subjects in 7 CFR Part 56

Eggs and egg products, Food grades and standards, Food labeling, Reporting and recordkeeping requirements.

For reasons set forth in the preamble, it is proposed that 7 CFR part 56 be amended as follows:

PART 56—VOLUNTARY GRADING OF SHELL EGGS

1. The authority citation for part 56 continues to read as follows:

Authority: 7 U.S.C. 1621-1627.

§ 56.36 [Amended]

2. In § 56.36, paragraph (a)(3) is amended by adding a period after the word “eggs” the second time it appears in the paragraph and by removing the words “under the continuous supervision of a grader.”

Dated: December 26, 2002.

A.J. Yates,

Administrator, Agricultural Marketing Service.

[FR Doc. 03-369 Filed 1-8-03; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Rural Business-Cooperative Service

Rural Housing Service

Rural Utilities Service

7 CFR Parts 1951, 1962, and 1965

RIN 0560-AG50

Farm Loan Programs Account Servicing Policies—Elimination of 30-Day Past-Due Period

AGENCY: Farm Service Agency, USDA.

ACTION: Proposed rule.

SUMMARY: The Farm Service Agency (FSA) proposes to amend its regulations to eliminate the 30-day past-due period

prior to a determination that the borrower is delinquent and clarify the use of the terms “delinquent” and “past due” with regard to direct loan servicing and offset. Because the regulation only allows debt writedown after a borrower becomes delinquent, this proposed change would allow Farm Loan Program (FLP) borrowers to receive debt writedown on the day after a missed payment, assuming all other primary loan servicing criteria are met, instead of waiting 31 days.

DATE: Comments on this rule must be submitted by March 10, 2003, to be assured consideration.

ADDRESSES: Submit written comments to Director, Farm Loan Programs, Loan Servicing and Property Management Division, United States Department of Agriculture, Farm Service Agency, STOP 0523, 1400 Independence Avenue, SW., Washington, DC 20250-0523. Comments will be available for public inspection weekdays from 8 a.m. to 4:15 p.m., eastern standard time, at the above address.

FOR FURTHER INFORMATION CONTACT: Michael Cumpton, telephone (202) 690-4014; electronic mail: mike_cumpton@wdc.fsa.usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule has been determined to be significant and has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-602), the undersigned has determined and certified by signature of this document that this rule will not have a significant economic impact on a substantial number of small entities. This rule will allow borrowers in financial difficulty to work with the Agency to cure the delinquency at an earlier time. New provisions included in this rule will not impact a substantial number of small entities to a greater extent than large entities. Therefore, a regulatory flexibility analysis was not performed.

Environmental Evaluation

It is the determination of FSA that this action is not a major Federal action significantly affecting the environment. Therefore, in accordance with the National Environmental Policy Act of 1969, and 7 CFR part 1940, subpart G, an Environmental Impact Statement is not required.

Executive Order 12988

This rule has been reviewed in accordance with Executive Order 12988, Civil Justice Reform. In accordance with this Executive Order: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) except as specifically stated in this rule, no retroactive effect will be given to this rule; and (3) administrative proceedings in accordance with 7 CFR part 11 must be exhausted before seeking judicial review.

Executive Order 12372

For reasons contained in the notice related to 7 CFR part 3015, subpart V (48 FR 29115 June 24, 1983) the programs within this rule are excluded from the scope of E.O. 12372, which requires intergovernmental consultation with State and local officials.

The Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments or the private sector of \$100 million or more in any 1 year. When such a statement is needed for a rule, section 205 of the UMRA requires FSA to prepare a written statement, including a cost and benefit assessment, for proposed and final rules with “Federal mandates” that may result in such expenditures for State, local, or tribal governments, in the aggregate, or to the private sector. UMRA generally requires agencies to consider alternatives and adopt the most cost effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates, as defined under title II of the UMRA, for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Executive Order 13132

The policies contained in this rule do not have any substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Paperwork Reduction Act

The amendments to 7 CFR part 1951 contained in this rule require no revisions to the information collection requirements that were previously approved by OMB under control numbers 0575-0119 and 0560-0161 according to the provisions of 44 U.S.C. chapter 35. The information collections currently approved by OMB under control number 0560-0171 include the amendment to 7 CFR part 1962 contained in this rule. The amendment to 7 CFR part 1965 contained in this rule requires no revision to the information collection requirements that were previously approved by OMB and assigned control number 0560-0158.

Federal Assistance Programs

These changes affect the following FSA programs as listed in the Catalog of Federal Domestic Assistance:

- 10.404—Emergency Loans
- 10.406—Farm Operating Loans
- 10.407—Farm Ownership Loans

Discussion of the Proposed Rule

Currently, borrowers are considered “past-due” for 30 days after a scheduled FLP payment is not made, after which they are considered “delinquent”. This is not consistent with the terminology used by FSA Farm Programs (FP) where no “past-due” period exists prior to delinquency. For consistency, FSA proposes to amend 7 CFR part 1951, subparts C and S, 7 CFR part 1962, subpart A, and 7 CFR part 1965, subpart A to eliminate the 30-day “past-due” period prior to a borrower becoming delinquent. Because 7 CFR part 1951, subpart S only allows debt writedown after a borrower becomes delinquent, this change would allow FLP borrowers to receive debt writedown on the day after a missed payment, assuming all other primary loan servicing criteria are met, instead of waiting 31 days. This will allow servicing to be completed earlier with no additional loss to the government, as the additional accrued interest during the 30 day period is often simply added to the writedown which would have been calculated on the first day the account was “past-due”. This proposal also will change the definition of the word “delinquent” with regard to all servicing and offsets. The rule will not affect the “90 days past due” criteria that is currently used to determine initial notice of primary loan servicing under 7 CFR part 1951 subpart S, as this requirement is statutory (7 U.S.C. 1981d).

List of Subjects**7 CFR Part 1951**

Account servicing, Credit, Debt restructuring, Loan programs—agriculture, Loan programs—housing and community development.

7 CFR Part 1962

Agriculture, Bankruptcy, Loan programs—agriculture, Loan programs—housing and community development.

7 CFR Part 1965

Loan programs—agriculture, Loan programs—housing and community development, Low and moderate income housing.

Accordingly, 7 CFR chapter XVIII is amended as follows:

PART 1951—SERVICING AND COLLECTIONS

1. The authority citation for part 1951 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 31 U.S.C. 3716; 42 U.S.C. 1480.

Subpart C—Offsets of Federal Payments to USDA Agency Borrowers

2. Amend § 1951.102 to:

- a. Revise paragraph (b)(6)
- b. Revise the third sentence of paragraph (b)(13), to read as follows:

§ 1951.102 Administrative Offset.

* * * * *

(b) * * *

(6) *Delinquent or past-due* means a payment that was not made by the due date.

* * * * *

(13) * * * To be feasible the debt must exist and be 90 days past due or the borrower must be in default of other obligations to the Agency, which can be cured by the payment.

* * * * *

Subpart S—Farm Loan Programs Account Servicing Policies

3. Amend § 1951.906 by removing the definition of “Delinquent borrower” and adding in its place the definition of “Delinquent or past-due borrower”.

§ 1951.906 Definitions.

* * * * *

Delinquent or past-due borrower: A borrower who has failed to make all or part of a payment by the due date.

* * * * *

4. Amend the second sentence of § 1951.907 paragraph (c) to read as follows:

§ 1951.907 Notice of loan service programs.

* * * * *

(c) * * * FLP borrowers who are at least 90 days past due will be sent exhibit A of this subpart with Attachments 1 and 2 by certified mail, return receipt requested. * * *

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PART 1962—PERSONAL PROPERTY

5. The authority citation for part 1962 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart A—Servicing and Liquidation of Chattel Security

6. Amend § 1962.40 to revise the first sentence of paragraph (b)(2) to read as follows:

§ 1962.40 Liquidation.

* * * * *

(b) * * *

(2) In Farm Loan Programs loan cases, borrowers who are 90 days past due on their payments must receive exhibit A with attachments 1 and 2 or attachments 1, 3, and 4 of exhibit A of subpart S of part 1951 of this chapter in cases involving nonmonetary default.

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PART 1965—REAL PROPERTY

7. The authority citation for part 1965 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart A—Servicing of Real Estate Security for Farm Loan Programs Loans and Certain Note-Only Cases

8. Amend § 1965.26 to revise the first sentence of paragraph (b)(2) to read as follows:

§ 1965.26 Liquidation action.

* * * * *

(b) * * *

(2) In Farm Loan Programs loan cases, borrowers who are 90 days past due on their payments, must receive Exhibit A with attachments 1 and 2, or attachments 1, 3, and 4 of exhibit A of subpart S of part 1951 of this chapter in cases involving nonmonetary default.

* * * * *

Dated: December 31, 2002.

J.B. Penn,

*Under Secretary for Farm and Foreign
Agricultural Services.*

Dated: January 3, 2003.

Thomas C. Dorr,

Under Secretary for Rural Development.
[FR Doc. 03-394 Filed 1-8-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Parts 255 and 399

[Docket Nos. OST-97-2881, OST-97-3014,
OST-98-4775, and OST-99-5888]

RIN 2105-AC65

Computer Reservations System (CRS) Regulations; Statements of General Policy

AGENCY: Office of the Secretary,
Department of Transportation.

ACTION: Proposed rule; notice of petition
response date.

SUMMARY: The Department has issued a notice of proposed rulemaking that proposes to readopt and amend its existing rules governing airline computer reservations systems (CRSs) and to clarify the requirements of its Statements of General Policy on travel agency disclosure of any agency service fees. Sabre, one of the CRSs, has filed a petition asking for a fact hearing. The Department is now establishing January 13, 2003, as the due date for responses to Sabre's petition.

DATES: Responses to Sabre's petition are due January 13, 2003.

FOR FURTHER INFORMATION CONTACT:

Thomas Ray, Office of the General Counsel, 400 Seventh St., SW., Washington, DC 20590, (202) 366-4731.

SUPPLEMENTARY INFORMATION:

The Department has begun a rulemaking to reexamine whether it should maintain its existing rules governing CRS operations. We issued a notice of proposed rulemaking that set forth our tentative proposals regarding the existing rules and our tentative belief that we should not extend the rules to cover the sale of airline tickets through the Internet. 67 FR 69366 (November 15, 2002). We stated our intent to follow the notice-and-comment procedures established by the Administrative Procedure Act for informal rulemakings. 67 FR 69369. Comments and reply comments on our notice of proposed rulemaking are now due March 16 and May 15, 2003. 67 FR 72869 (December 9, 2002).

On December 23 Sabre filed a petition asking us to hold a "Fact Hearing." Sabre asserts that our notice did not provide an adequate factual basis for our tentative decision that we should maintain the existing rules with some changes. The hearing sought by Sabre would include, among other things, testimony from a Department official on the factual basis underlying these decisions.

Delta Airlines, assuming that answers to Sabre's petition would normally be due January 3, has filed a motion asking that answers be due January 13. Sabre filed its 33-page petition on December 23. Delta contends that it did not receive a copy of the petition until December 30, since Sabre had served it by mail, that Delta would have only two business days to prepare its response if it were required to respond by January 3, and that a 10-day extension would be reasonable. Delta notes that the petition seeks extraordinary relief and raises a number of controversial legal issues.

We believe that Delta's request is reasonable and that responses by other parties would assist our consideration of Sabre's petition. Given the holidays and the unusual nature of Sabre's petition, establishing January 13 as the due date for answers would give the parties an adequate time to respond without delaying the rulemaking. We therefore invite interested persons to file answers by January 13.

Issued in Washington, DC on January 2, 2003.

Kirk K. Van Tine,

General Counsel.

[FR Doc. 03-355 Filed 1-8-03; 8:45 am]

BILLING CODE 4910-63-P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 101

Expansion of the Port Limits of Portland, MA

AGENCY: Customs Service, Department
of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs regulations pertaining to the field organization of Customs by extending the geographical limits of the port of entry of Portland, Maine, to include the City of Auburn, Maine. This proposed change is being made to provide better service to carriers, importers, and the general public.

DATE: Comments must be received on or before March 10, 2003.

ADDRESSES: Written comments must be submitted to the U. S. Customs Service, Office of Regulations and Rulings, Attention: Regulations Branch, 1300 Pennsylvania Avenue, NW., Washington, DC 20229. Submitted comments may be inspected at the U.S. Customs Service, 799 9th Street, NW., Washington, DC, during regular business hours. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at 202-572-8768.

FOR FURTHER INFORMATION CONTACT: Mr. Keith Fleming, Office of Field Operations, at 202-927-1049.

SUPPLEMENTARY INFORMATION:

Background

To provide better service to carriers, importers, and the general public, Customs proposes to amend § 101.3(b)(1), Customs regulations (19 CFR 101.3(b)(1)), by extending the geographical limits of the port of entry of Portland, Maine.

Current Port Limits of Portland, Maine

The current port limits of Portland, Maine, as extended by Executive Order (E. O.) 9297 of February 1, 1943 (8 FR 1479), include Portland, Maine, and the territory embracing the municipalities of South Portland, Falmouth, and Cape Elizabeth, in the State of Maine, and Peak, Long, Cliff, Cushing, and Diamond Islands, in the State of Maine.

Proposed Expansion of Port

It is proposed to expand the port limits of the port of entry of Portland, Maine, to include the City of Auburn, Maine.

Customs proposes to include the City of Auburn within the port limits to facilitate the clearance of international cargo at the Auburn Intermodal Facility ("AIF"). AIF is a rail/truck intermodal facility with a high cube, doublestack intermodal terminal worldwide.

If the proposed extension of the Portland, Maine, port of entry limits to include the City of Auburn, Maine, is adopted, the limits of port column adjacent to the listing of Portland, Maine, in the list of Customs ports of entry in § 101.3(b)(1) will be amended accordingly.

Authority

This change is proposed under the authority of 5 U.S.C. 301 and 19 U.S.C. 2, 66 and 1624.

Comments

Before adopting this proposal, consideration will be given to any