

and must provide access to such document if requested by the Secretary of Agriculture or his authorized representative for the five-year period specified in paragraph (e)(1) of this section.

(f) *Responsibility of program participants.* It is the responsibility of all program participants to review, and fully acquaint themselves with, this subpart, program announcement(s), and notice(s) to participants relating to the FGP, as applicable. Applicants for facility payment guarantees under this program are hereby on notice that they will be bound by any terms contained in applicable program announcement(s) or notice(s) to participants issued prior to the date of approval of a facility payment guarantee.

(g) *Submission of documents by principal officers.* All required submissions, including certifications, applications, reports, or requests (i.e., requests for amendments), by exporters or exporters' assignees under this subpart must be signed by a principal or officer of the exporter or exporter's assignee or their authorized designee(s). In cases where the designee is acting on behalf of the principal or the officer, the signature must be accompanied by:

(1) Wording indicating the delegation of authority or, in the alternative, by a certified copy of the delegation of authority; and

(2) The name and title of the authorized person or officer. Further, the exporter or exporter's assignee must ensure that all information/reports required under this subpart are submitted within the required time limits. If requested in writing, CCC will acknowledge receipt of a submission by the exporter or the exporter's assignee. If acknowledgment of receipt is requested, the exporter or exporter's assignee must submit an extra copy of each document and a stamped self-addressed envelope for return by U.S. mail. If courier services are desired for the return receipt, the exporter or exporter's assignee must also submit a self-addressed courier service order which includes the recipient's billing code for such service.

(h) *Officials not to benefit.* No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of the facility payment guarantee or to any benefit that may arise therefrom, but this provision shall not be construed to extend to the facility payment guarantee if made with a corporation for its general benefit.

(i) *Deadlines.* (1) Where a deadline is fixed in terms of days, it means business

days and excludes Saturdays, Sundays and federal holidays.

(2) Where a deadline is fixed in terms of months, the deadline falls on the same day of the month as the day triggering the deadline period, or if there is no same day, the last day of the month; and

(3) Where a deadline would otherwise fall on a Saturday, Sunday or federal holiday, the deadline shall be the next business day.

Signed this 1st day of August, 1997 at Washington, DC.

**Christopher E. Goldthwait,**

*General Sales Manager, Commodity Credit Corporation.*

[FR Doc. 97-20761 Filed 8-7-97; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 94

[Docket No. 97-007-2]

#### Change in Disease Status of The Netherlands Because of Hog Cholera

**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 regulations by removing The Netherlands from the list of countries free from hog cholera. We took this action based on reports we have received from The Netherlands that an outbreak of hog cholera has occurred in The Netherlands. As a result of this action, there are additional restrictions on the importation of pork and pork products into the United States from The Netherlands, and the importation of swine from The Netherlands is prohibited.

**EFFECTIVE DATE:** The interim rule was effective on February 21, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dr. John Cougill, Staff Veterinarian, Animal Products Program, National Center for Import and Export, VS, APHIS, suite 3B05, 4700 River Road Unit 39, Riverdale, MD 20737-1231, (301) 734-3399; or e-mail: jcougill@aphis.usda.gov.

#### SUPPLEMENTARY INFORMATION:

##### Background

In an interim rule effective February 21, 1997, and published in the **Federal Register** on February 27, 1997 (62 FR

8867-8868, Docket No. 97-007-1), we amended §§ 94.9(a) and 94.10(a) of the regulations by removing The Netherlands from the list of countries declared to be free from hog cholera.

Comments on the interim rule were required to be received on or before April 28, 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 Order 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 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

#### PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR 94 and that was published at 62 FR 8867-8868 on February 27, 1997.

**Authority:** 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 4th day of August 1997.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-20996 Filed 8-7-97; 8:45 am]

BILLING CODE 3410-34-P

## SECURITIES AND EXCHANGE COMMISSION

#### 17 CFR Part 240

#### General Rules and Regulations, Securities Exchange Act of 1934

##### CFR Correction

In title 17 of the Code of Federal Regulations, part 240 to end, revised as of April 1, 1997, on page 369, in § 240.17a-5, paragraph (g)(1) is corrected to read as follows:

**§ 240.17a-5 Reports to be made by certain brokers and dealers.**

\* \* \* \* \*

(g) *Audit objectives.* (1) The audit shall be made in accordance with generally accepted auditing standards and shall include a review of the accounting system, the internal accounting control and procedures for safeguarding securities including appropriate tests thereof for the period since the prior examination date. The audit shall include all procedures necessary under the circumstances to enable the independent public accountant to express an opinion on the statement of financial condition, results of operations, cash flow, and the Computation of Net Capital under § 240.15c3-1, the Computation for Determination of Reserve Requirements for Brokers or Dealers under Exhibit A of § 240.15c3-3, and Information Relating to the Possession or Control Requirements under § 240.15c3-3. The scope of the audit and review of the accounting system, the internal control and procedures for safeguarding securities shall be sufficient to provide reasonable assurance that any material inadequacies existing at the date of the examination in (a) the accounting system; (b) the internal accounting controls; (c) procedures for safeguarding securities; and (d) the practices and procedures whose review is specified in (i), (ii), (iii) and (iv) of this paragraph would be disclosed. Additionally, as specific objectives, the audit shall include reviews of the practices and procedures followed by the client:

(i) In making the periodic computations of aggregate indebtedness and net capital under § 240.17a-3(a)(11) and the reserve required by § 240.15c3-3(e);

(ii) In making the quarterly securities examinations, counts, verifications and comparisons and the recordation of differences required by § 240.17a-13;

(iii) In complying with the requirement for prompt payment for securities of section 4(c) of Regulation T (§ 220.4(c) of chapter II of title 12) of the Board of Governors of the Federal Reserve System; and

(iv) In obtaining and maintaining physical possession or control of all fully paid and excess margin securities of customers as required by § 240.15c3-3. Such review shall include a determination as to the adequacy of the procedures described in the records required to be maintained pursuant to § 240.15c3-3(d)(4).

\* \* \* \* \*

[FR Doc. 97-55509 Filed 8-7-97; 8:45 am]

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**DEPARTMENT OF STATE**

[Public Notice 2573]

**22 CFR Part 22****Bureau of Consular Affairs; Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates, Diversity Visa Lottery Fee**

**AGENCY:** Bureau of Consular Affairs, Department of State.

**ACTION:** Final rule.

**SUMMARY:** This publication finalizes the Department's proposed rule [62 FR 32558] published June 16, 1997 proposing the fee for administration of the diversity visa lottery. The fee will be added to the Schedule of Fees for Consular Services published in 22 CFR 22.1.

**EFFECTIVE DATE:** October 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Sally Light, Office of the Executive Director, Bureau of Consular Affairs, Room 4820A, Department of State, Washington, DC, (202) 647-1148.

**SUPPLEMENTARY INFORMATION:** The Department is instituting a new fee, in the nature of a surcharge, to be paid by applicants for diversity immigrant visas. This additional fee will recover the full costs of the visa lottery conducted pursuant to Sections 203 and 222 of the Immigration and Nationality Act ("INA"), 8 U.S.C. 1153, 1202, from those successful lottery entrants who actually apply for diversity visas. The fee was authorized by Section 636 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. 104-208, 110 Stat. 3009-703-704 (Sept. 30, 1996). A single fee imposed on actual diversity visa applicants will ensure that the costs of administering the lottery and allocating diversity visas is recovered from actual users of the lottery, while avoiding the impracticable imposition of a fee on all visa lottery entrants (technically, visa "petitioners"). The imposition of a fee on all entrants rather than actual applicants is not feasible, given the millions of entrants, the problems of collecting a uniform fee from individuals all over the world (who will have varying access to U.S. or other international currency), and the burden of having to collect and account for what would be a very small fee from a large number of persons. Roughly seven million entrants have registered for the 1998 diversity lottery. Approximately 100,000 of those will be invited to apply for a visa, and of those, approximately 87,000 will apply and pay the fee. The

Department's projected cost to administer the 1998 diversity lottery is about \$6,500,000, which will be covered by the diversity visa surcharge of \$75.

Provision has already been made in the visa regulations governing the diversity visa lottery for a fee of this nature (see 22 CFR 42.33(i)). Thus no regulatory amendments other than an addition of the Schedule of Fees for Consular Services published at 22 CFR 22.1 are required to establish this fee. The new fee is being added as item number 19 on the Schedule of Fees. This will locate it immediately before the other fees for immigrant visas, which diversity visa applicants will also be required to pay (*i.e.*, before the fees for immigrant visa application and issuance).

With the exception of nonimmigrant visa reciprocity fees, which are established based on the practices of other countries, all consular fees are established on a basis of cost recovery and in a manner consistent with general user charges principles, regardless of the specific statutory authority under which they are promulgated. The proposed fee is consistent with these principles and the guidance in OMB Circular A-25, which addresses the establishment of user charges. The fee is based on a cost-of-service study completed in late 1996 that documented the direct and indirect costs associated with administration of the diversity visa lottery. The study was based on fiscal year 1995 data and was intended to capture the full cost of service.

This rule is not considered to be a major rule for purposes of E.O. 12291 nor is it expected to have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act, 5 U.S.C. 605(b). This rule does not impose information collection requirements under the provisions of the Paperwork Reduction Act, 44 U.S.C. Chapter 35. This rule has been reviewed as required by E.O. 12988 and determined to be in compliance therewith. This rule is exempt from review under E.O. 12866, but has been reviewed internally by the Department to ensure consistency with the objectives thereof.

**Final Rule:** The proposed Diversity Visa Lottery Fee rule invited interested persons to submit comments. No comments were received. The proposed rule is adopted herein without changes as a final rule.

**List of Subjects in 22 CFR Part 22**

Fees, Schedule of Fees for Consular Services, Visas.

Accordingly, part 22 is amended as follows.