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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 923

[Docket No. FV99-923-1 IFRC]

#### Sweet Cherries Grown in Designated Counties in Washington; Change in Pack Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; correction.

**SUMMARY:** The Agricultural Marketing Service published in the **Federal Register** on June 24, 1999, an interim final rule which changed the pack requirements prescribed under the Washington cherry marketing order. This document corrects the amendatory instruction in that document.

**EFFECTIVE DATE:** This correction is effective June 25, 1999.

**FOR FURTHER INFORMATION CONTACT:** George J. Kelhart, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone 202-720-2491.

#### SUPPLEMENTARY INFORMATION:

#### Background

The interim final regulations that are the subject of this correction revised § 923.322, paragraph (e)(1) and the table, but did not change paragraph (e)(2).

#### Need for Correction

As published, the amendatory instruction concerning changes in the sweet cherry regulations needs to be clarified. Otherwise it may prove to be misleading. The instruction, as published in the **Federal Register**, states that "Section 923.322 is amended by revising paragraph (e) to read as follows:". Since the entire paragraph (e) was not changed and only paragraph

(e)(1) was changed, the instruction should specify that only paragraph (e)(1) and the table are revised.

#### Correction of Publication

Accordingly, the publication of interim final regulations (FV99-923-1 IFRC), which was the subject of FR Doc. 99-16055 is corrected as follows:

1. On page 33743, column 2, instruction number 2 is corrected to read "In § 923.322, paragraph (e)(1) and the table are revised to read as follows:".

Dated: September 29, 1999.

**Robert C. Keeney,**

*Deputy Administrator, Fruit and Vegetable Programs.*

[FR Doc. 99-25829 Filed 10-4-99; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

**7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139**

[DA-97-12]

#### Milk in the New England and Other Marketing Areas; Delay of Effective Date

#### 7 CFR Part / Marketing Area

1000 General Provisions of Federal Milk Marketing Orders  
 1001 New England  
 1002 New York-New Jersey  
 1004 Middle Atlantic  
 1005 Carolina  
 1006 Upper Florida  
 1007 Southeast  
 1012 Tampa Bay  
 1013 Southeastern Florida  
 1030 Chicago Regional  
 1032 Southern Illinois-Eastern Missouri  
 1033 Ohio Valley  
 1036 Eastern Ohio-Western Pennsylvania  
 1040 Southern Michigan  
 1044 Michigan Upper Peninsula  
 1046 Louisville-Lexington-Evansville  
 1049 Indiana  
 1050 Central Illinois  
 1064 Greater Kansas City  
 1065 Nebraska-Western Iowa  
 1068 Upper Midwest  
 1076 Eastern South Dakota  
 1079 Iowa  
 1106 Southwest Plains  
 1124 Pacific Northwest  
 1126 Texas

1131 Central Arizona  
 1134 Western Colorado  
 1135 Southwestern Idaho-Eastern Oregon  
 1137 Eastern Colorado  
 1138 New Mexico-West Texas  
 1139 Great Basin

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; delay of effective date.

**SUMMARY:** This document announces a delay of the October 1, 1999, effective date of the order consolidating the current 31 Federal milk marketing orders into 11 orders. This action is based on a temporary restraining order by the U.S. District Court for the District of Vermont, which enjoins the Secretary of Agriculture from implementing the amendments to the above mentioned orders at this time. The current 31 Federal milk orders will therefore remain in effect.

**EFFECTIVE DATE:** The effective date of the final rule published on September 1, 1999 at 64 FR 47898 is delayed until further notice.

**FOR FURTHER INFORMATION CONTACT:** John F. Borovies, Branch Chief, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-6274, e-mail address John.Borovies@usda.gov.

#### SUPPLEMENTARY INFORMATION:

#### Prior Documents in This Proceeding

*Proposed Rule:* Issued January 21, 1998; published January 30, 1998 (63 FR 4802).

*Correction:* Issued February 19, 1998; published February 25, 1998 (63 FR 9686).

*Extension of Time:* Issued March 10, 1998; published March 13, 1998 (63 FR 12417).

*Final Decision on Proposed Amendments:* Issued March 12, 1999; published April 2, 1999 (64 FR 16026).

*Correction:* Issued July 8, 1999; published July 14, 1999 (64 FR 37892).

*Notice of Referenda:* Issued July 14, 1999; published July 21, 1999 (64 FR 39092).

*Final Rule:* Issued August 23, 1999; published September 1, 1999 (64 FR 47898).

#### Statement of Consideration

On September 28, 1999, the U.S. District Court for the District of Vermont

issued, on the basis of a civil action before it, a temporary restraining order enjoining the Secretary from implementing an order consolidating the current 31 Federal milk marketing orders into 11 orders. The consolidated orders were to become effective on October 1, 1999.

Accordingly, based upon the temporary restraining order granted by the U.S. District Court for the District of Vermont, the October 1, 1999, effective date of the order consolidating the current 31 milk marketing orders that was issued on August 23, 1999, and published in the **Federal Register** on September 1, 1999, at 64 FR 47898, is hereby delayed until further notice. The 31 current Federal milk orders will continue to remain in effect.

**List of Subjects in 7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139**

Milk marketing orders.

The authority citation for Parts 1000 through 1139 continues to read as follows:

**Authority:** 7 U.S.C. 601-674, and 7253.

Dated: September 30, 1999.

**Michael V. Dunn,**

*Under Secretary, Marketing and Regulatory Programs.*

[FR Doc. 99-25959 Filed 10-1-99; 10:38 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### 7 CFR Part 1755

#### **RUS Form 545, Central Office Equipment Contract (Not Including Installation)**

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Rural Utilities Service (RUS) is amending its regulations on Telecommunications Standards and Specifications for Materials, Equipment, and Construction to revise RUS Form 545 Central Office Equipment Contract (Not Including Installation). RUS is revising this contract form in order to incorporate contractual and technological changes.

**EFFECTIVE DATE:** November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:** John J. Schell, Chief, Inside Plant Branch, Telecommunications Standards Division, Rural Utilities Service, Stop

1598, U.S. Department of Agriculture, 1400 Independence Ave., SW, Washington DC, 20250-1598, telephone number (202) 720-0671.

#### **SUPPLEMENTARY INFORMATION:**

##### **Executive Order 12866**

This final rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

##### **Executive Order 12372**

This final rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require a consultation with State and local officials. A final rule related Notice entitled, "Department Programs and Activities Excluded from Executive Order 12372" (50 FR 47034) exempts RUS and Rural Telephone Bank loans and loan guaranteses from coverage under this Order.

##### **Executive Order 12988**

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. RUS has determined that this rule meets the applicable standards provided in section 3 of the Executive Order. In addition, all state and local laws and regulations that are in conflict with this rule will be preempted, no retroactive effort will be given to this rule, and, in accordance with Sec. 212(c) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. Sec. 6912(c)), appeal procedures must be exhausted before an action against the Department or its agencies may be initiated.

##### **Regulatory Flexibility Act Certification**

RUS has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The RUS telecommunications program provides loans to borrowers at interest rates and terms that are more favorable than those generally available from the private sector. RUS borrowers, as a result of obtaining federal financing, receive economic benefits that exceed any direct economic costs associated with complying with RUS regulations and requirements.

##### **Information Collection and Recordkeeping Requirements**

This rule contains no new reporting or recordkeeping burdens under OMB control number 0572-0059 that would require approval under the Paperwork

Reduction Act of 1995 (44 U.S.C. Chapter 35).

##### **National Environmental Policy Act Certification**

The Administrator of RUS has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

##### **Catalog of Federal Domestic Assistance**

The program described by this proposed rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.851, Rural Telephone Loans and Loan Guarantees; and number 10.852, Rural Telephone Bank Loans. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402-9325.

##### **Unfunded Mandates**

This rule contains no Federal mandates (under the regulatory provisions of Title II of the Unfunded Mandates Reform Act of 1995) for State, local, and tribal governments for the private sector. Thus, this rule is not subject to the requirements of section 202 and 205 of the Unfunded Mandates Reform Act of 1995.

##### **Background**

The last revision to the RUS Form 545 was September 1966. Since that date, divestiture and competition legislation and regulation have brought about many changes in the conduct of telecommunications business. Notable advances of central office equipment technology such as Signaling System No. 7 (SS7), Advanced Intelligent Network (AIN), and Integrated Services Digital Network, have made many new services available. In order to address the above, significant changes have been made in the way business is conducted in the telecommunications industry.

RUS Form 545 incorporates those changes into the Central Office Equipment Contract. The main changes to the contract are new requirements that: (1) Provide for a software license, (2) provide for patent, copyright, and trademark infringement protection, (3) provide a cap on consequential damages, and (4) provide Equal Employment Opportunity requirements. In addition, it revises and updates provisions for (1) delivery of equipment, (2) inspection and testing of the completed installations, (3) payments to