

**PART 1655—LOAN PROGRAM**

1. The authority citation for part 1655 continues to read as follows:

**Authority:** 5 U.S.C. 8433(g) and 8474.

2. Section 1655.18 is amended by adding paragraph (f) as follows:

**§ 1655.18 Spousal rights.**

\* \* \* \* \*

(f)(1) By signing the Loan Application and the Loan Agreement/Promissory Note, the participant represents that all information provided to the TSP during the loan process is true and correct, including statements concerning the participant's marital status and spouse's address at the time the application is filed and documentation that the current spouse has consented to the loan.

(2) If the Board receives a written allegation from the spouse that the participant may have misrepresented his/her marital status or the spouse's address (in the case of a CSRS participant), or that the signature of the spouse of a FERS participant was forged, the Board will submit the questioned document to the spouse and request that he or she state in writing that the information is false or that the spouse's signature has been forged. In the event of an alleged forgery, the Board will also request the spouse to provide at least three signature samples.

(3) If the spouse affirms the allegation in accordance with the procedure set forth in paragraph (f)(2) of this section and the loan has been disbursed, the Board will give the participant an opportunity to repay, within 60 days, the unpaid loan principal, plus unpaid interest. If the loan is repaid, the Board will not investigate the spouse's allegation.

(4) Paragraph (f)(3) of this section will not apply where the participant has received a final divorce decree before the funds are received by the Thrift Savings Plan.

(5) If the unpaid loan principal, plus unpaid interest, is not repaid to the Plan in full within the time period provided in paragraph (f)(3) of this section, the Board will conduct an investigation into the allegation. If the participant has received a final divorce decree before the funds are received by the Thrift Savings Plan, the Board will begin its investigation immediately.

(6) If, during its investigation, the Board finds evidence to suggest that the participant misrepresented his/her marital status or spouse's address (in the case of a CSRS participant), or submitted the Loan Agreement/Promissory Note with a forged

signature, the Board will refer the case to the Department of Justice for criminal prosecution and, if the participant is still employed, to the Inspector General or other appropriate authority in the participant's employing agency for administrative action.

(7) Upon receipt of an allegation described in paragraph (f)(2) of this section, the participant's account will be frozen and no withdrawal or loan will be permitted until after:

(i) Thirty days have elapsed since the participant's spouse was sent a copy of the questioned document and no written affirmation of the alleged false information or forgery (together with signature samples in the case of an alleged forgery) has been received by the Board;

(ii) The loan is repaid pursuant to paragraph (f)(3) of this section;

(iii) The Executive Director concludes that the Board's investigation did not yield persuasive evidence that supports the spouse's allegation;

(iv) The Executive Director has been assured in writing by the spouse that any future request for a loan or withdrawal comports with the applicable requirement of notice or consent; or

(v) The participant is divorced.

[FR Doc. 98-14360 Filed 5-29-98; 8:45 am]

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**DEPARTMENT OF AGRICULTURE****Animal and Plant Health Inspection Service****7 CFR Part 319**

[Docket No. 89-154-4]

**Importation of Rhododendron Established in Growing Media**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of extension of comment period.

**SUMMARY:** We are extending the comment period on a proposal to allow the importation of *Rhododendron* established in growing media. Final action on that proposal had been deferred to allow consultation regarding the action with the United States Fish and Wildlife Service, in accordance with the Endangered Species Act. That consultation has been completed, and, as a result, the proposed action has been limited to *Rhododendron* imported from Europe only. This extension of the comment period will allow interested groups and individuals with additional

time to prepare comments on the proposal.

**DATES:** Consideration will be given only to comments received on or before July 30, 1998.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 89-154-3, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 89-154-3. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Mr. Pete M. Grosser, Senior Import Specialist, PIMT, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737-1236; (301) 734-6799.

**SUPPLEMENTARY INFORMATION:****Background**

On September 7, 1993, we published in the **Federal Register** a proposed rule (58 FR 47074-47084, Docket No. 89-154-1) to allow the importation of five genera of plants established in growing media. That proposal is referred to below as "the proposed rule." We accepted comments on the proposed rule for a period of 90 days, ending December 6, 1993.

In a final rule published in the **Federal Register** on January 13, 1995, and effective on February 13, 1995 (60 FR 3067-3078, Docket No. 89-154-2), the Animal and Plant Health Inspection Service (APHIS) finalized provisions for the importation of *Alstroemeria*, *Ananas*, *Anthurium*, and *Nidularium*. The final rule postponed action on *Rhododendron* established in growing media.

On April 30, 1998, we published in the **Federal Register** (63 FR 23683-23685, Docket No. 89-154-3) a notice reopening and extending the comment period on the proposal to allow the importation of *Rhododendron* established in growing media. Final action on the initial proposal had been deferred to allow consultation regarding the action with the United States Fish and Wildlife Service, in accordance with the Endangered Species Act. That consultation has been completed, and, as a result, the notice also announced APHIS's intention to limit the proposed action to *Rhododendron* imported from Europe only.

Comments were required to be received on or before June 1, 1998. We received two requests to extend the period during which comments will be accepted. The requests were from trade organizations. In response, we are extending the comment period on Docket No. 89-154-3 until July 30, 1998. This action will allow interested groups and individuals additional time to prepare and submit comments.

**Authority:** 7 U.S.C. 150dd, 150ee, 150ff, 151-167, 450, 2803, and 2809; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 27th day of May 1998.

**Charles P. Schwalbe,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-14421 Filed 5-29-98; 8:45 am]

BILLING CODE 3410-34-P

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 120

#### Securitization of the Unguaranteed Portion of Section 7(a) Loans

**AGENCY:** Small Business Administration.

**ACTION:** Proposed Rule; Correction; Clarification of Date of Public Hearing.

**SUMMARY:** This Document corrects the preamble in the Summary of a proposed rule published in the **Federal Register** on May 18, 1998, regarding a public hearing on allowing all participating lenders to securitize the unguaranteed portions of 7(a) loans (63 FR 27219). The correction date for the public hearing is June 16, 1998. Only one public hearing will be held. It will take place in the Eisenhower Conference Room on the 8th floor of the SBA Headquarters building located at 409 3rd Street SW, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** James W. Hammersley, (202) 205-7505.

#### Correction

In proposed rule, 63 FR 27219, dated May 18, 1998, make the following correction in the Summary section. On page 27219, in the first column, replace the second-to-last sentence of the first paragraph of the Summary section with the following:

"In addition, SBA is providing notice of a public hearing set for 2:00 p.m. on June 16, 1998."

Dated: May 27, 1998.

**LeAnn M. Oliver,**

*Acting Associate Administrator for Financial Assistance.*

[FR Doc. 98-14405 Filed 5-29-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD07-98-009]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Billy's Creek, Florida

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to create regulations governing the operation of the State Road 80 drawbridge across Billy's Creek, Fort Myers, Lee County, Florida. The proposed regulations would allow the draw to remain closed permanently. The bridge has not received an opening notice since 1987. This action should accommodate the needs of vehicle traffic and still provide for the reasonable needs of navigation.

**DATES:** Comments must be received on or before July 31, 1998.

**ADDRESSES:** Comments must be mailed to Commander (oan) Seventh Coast Guard District, 909 SE 1st Avenue, Miami, Florida 33131-3050, or may be delivered to room 406 at the above address between 7:30 am and 4:00 p.m. Monday through Friday, except federal holidays. The telephone number is (305) 536-4103. Comments will become part of this docket and will be available for inspection or copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Walt Paskowsky, Project Manager, Bridge Section, (305) 536-4103.

#### SUPPLEMENTARY INFORMATION:

#### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views or arguments. Persons submitting comments should include their names and addresses, identify the rulemaking [CGD08-98-009] and the specific section of this proposal to which each comment applies, and give the reason for each comment. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments received. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address listed in **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a

time and place announced by a notice in the Federal Register.

#### Background and Purpose

The State Road 80 bridge over Billy's Creek near Fort Myers Florida currently opens with 24 hours advance notice. However no requests for bridge openings have been received since 1987. The Florida Department of Transportation (DOT) has stated that the bridge currently handles two lanes of one way land traffic going into the city, and that there is no practical way to reroute traffic around the bridge if it were opened.

Additionally, the Florida DOT found that there is no boat traffic in the area that requires an opening. Therefore, the Coast Guard has agreed to propose permanent regulations stating that the draw need not be opened for the passage of vessels.

#### Regulatory Evaluation

This proposed rule is not a significant regulatory action under section 3(f) of executive order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the Regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10 e of the regulatory policies and procedures of DOT is unnecessary as there has not been a demand for an opening in the last 10 years.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" may include small businesses and not for profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000.

Because it expects the impact of the proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant economic impact on a substantial number of small entities due to the lack of any vessel traffic in the area that would require the bridge to be opened. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact