

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

### Commodity Credit Corporation

#### Notice and Request for Approval of a New Information Collection

**AGENCIES:** Farm Service Agency and the Commodity Credit Corporation, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Commodity Credit Corporation (CCC) and Farm Service Agency (FSA) to request approval of a new information collection in support of the peanut poundage quota program as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (1996 Act).

**DATES:** Comments on this notice must be received on or before October 26, 1998 to be assured consideration.

**ADDITIONAL INFORMATION OR COMMENTS:** Amy Kriskovich, Marketing Specialist, Tobacco and Peanuts Division, Farm Service Agency, United States Department of Agriculture, STOP 0514, 1400 Independence Avenue, SW, Washington, DC 20250-0514, (202) 720-7120, facsimile (202) 690-1536; Internet e-mail, amykriskovich@wdc.fsa.usda.gov.

#### SUPPLEMENTARY INFORMATION:

*Title:* Peanuts, 7 CFR part 729.

*OMB Control Number:* 0560-0186.

*Type of Request:* Approval of a new information collection.

*Abstract:* The 1996 Act provides for a non-refundable peanut marketing assessment (PMA) to be collected from peanut handlers and peanut producers. Peanut handlers are responsible for remitting the PMA to CCC. Peanut handlers have the option to pay the PMA using a new PMA payment alternative, NationsBank DirectPay touch-tone phone service. Peanut

handlers must enroll in the NationsBank DirectPay service by registering on form CCC-1047, Authorization Agreement For Peanut Handler's Automatic Marketing Assessment Payments. NationsBank DirectPay service allows peanut handlers to make automated PMA payments to CCC.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 10 minutes per response.

*Respondents:* Peanut Handlers.

*Estimated Number of Respondents:* 30.

*Estimated Total Annual Burden of Respondents:* 5 hours.

*Comments are requested regarding, but not limited to:* (1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; or (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments should be sent to the Desk Office for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Charles Hatcher, at the address listed above. All comments will become a matter of public record.

OMB is required to make a decision concerning the collection(s) of information contained in these proposed regulations between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 60 days of publication.

Signed at Washington, DC, on August 18, 1998.

**George W. Aldaya,**

*Acting Administrator, Farm Service Agency and Acting Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 98-22848 Filed 8-25-98; 8:45 am]

BILLING CODE 3410-05-P

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Issuance of Additional Secured Debt by Electric Distribution Borrowers

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

**ACTION:** Notice.

**SUMMARY:** The Rural Utilities Service (RUS) hereby issues a generic notice to those electric distribution borrowers that presently have mortgages that prohibit the issuance of additional secured debt without the consent of RUS (i.e., most mortgages entered into before 1996) that RUS hereby approves their issuance of additional secured notes, provided that the terms and conditions contained in the model forms of mortgage and loan contract in use by RUS since January 1996 are satisfied.

**DATES:** This generic approval extends to electric distribution borrowers who notified RUS of their intention to issue additional secured debt on or after February 20, 1998, under the circumstances set out in this notice.

**FOR FURTHER INFORMATION CONTACT:** Sue Arnold, Office of the Assistant Administrator, Electric Program, Rural Utilities Service, United States Department of Agriculture, 1400 Independence Avenue, SW, Stop 1560, Room 4024-S, Washington, DC 20250-1500. Phone: 202-690-1078. FAX: 202-690-0717. E-mail: sarnold@rus.usda.gov.

**SUPPLEMENTARY INFORMATION:** The Rural Utilities Service (RUS) makes and guarantees loans for electric facilities to serve consumers in rural areas pursuant to the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*) (RE Act). These loans are ordinarily secured through the use of a common mortgage with RUS and at least one supplemental lender.

Under the form of common mortgage RUS used from the early 1970's until early 1996 (Old Mortgage), the borrower could not issue additional secured debt without first obtaining the approval of RUS. RUS exercised broad discretion in exercising its right to approve additional secured debt case-by-case. The exercise of rights in these cases is sometimes referred to as approving a "lien accommodation," (although that broad term also encompasses many other similar actions by RUS that are not

covered by this notice). As the RUS program matured, this case-by-case approach to approving all additional secured debt became less workable for RUS, its borrowers, and supplemental lenders.

On July 18, 1995, at 60 FR 36881, RUS published 7 CFR Part 1718, Loan Security Documents for Electric Borrowers, that issued a new model form of mortgage (New Mortgage) for electric distribution borrowers. In a related action, on December 29, 1995, at 60 FR 67395, RUS amended 7 CFR Part 1718 to issue a new model form of loan contract (New Loan Contract) for electric distribution borrowers. The New Mortgage and New Loan Contract went into use for all electric distribution loans or guarantees approved by RUS after January 29, 1996.

Among other things, these new forms of loan documents replaced many subjective standards and practices that required RUS, as mortgagee, to review borrower requests for routine additional financings case-by-case. Sections 2.01 and 2.02 of the New Mortgage and §§ 6.13 and 6.14 of the New Loan Contract establish objective tests for the issuance of new debt that qualifies as secured under the borrower's mortgage. No lien accommodations are required for additional financing that complies. Because of the success of the objective approach, RUS is extending it to those electric distribution borrowers still operating under the Old Mortgage. RUS expects that this action will also eliminate the confusion associated with maintaining two different standards for the routine issuance of electric distribution debt during the period the RUS program transitions from the Old Mortgage form to the New Mortgage form.

This **Federal Register** Notice is a generic notice of approval, under 7 CFR 1717.600(c), allowing electric distribution borrowers operating under the Old Mortgage to issue additional debt without prior RUS approval under the same terms and conditions as borrowers with the New Mortgage and New Loan Contract.

Specifically, an electric distribution borrower with an Old Mortgage may now, without first obtaining any RUS approval, issue additional debt to refinance or refund existing secured debt or to acquire, procure, or construct eligible property additions if the borrower satisfies the terms and conditions for the issuance of such debt contained in the New Mortgage and New Loan Contract.

The model forms of the New Mortgage and New Loan Contract are published in RUS regulations as appendices to 7 CFR

1718, subparts B and C, respectively. The applicable provisions in the New Mortgage are §§ 1.01, 2.01 and 2.02 and Exhibit A. The applicable provisions in the New Loan Contract are Article I—Definitions, §§ 6.13 and 6.14 of Article VI—Negative Covenants, and Exhibits C-1 and C-2 (forms of certifications). The regulation, including appendices, is available on the RUS homepage at [www.usda.gov/rus](http://www.usda.gov/rus).

RUS may, upon written notice to a borrower, prospectively amend or annul this approval as set forth in 7 CFR 1717.600. Nothing in this notice of approval is intended to affect the rights of any other lender. Any electric distribution borrower that does not qualify for the approval contained in this notice, must continue to refer to its existing mortgage and RUS loan contract and RUS regulations including 7 CFR 1717, subparts R and S for the terms and conditions for issuing additional secured debt.

**Authority:** 7 U.S.C. 901 *et seq.*

Dated: August 21, 1998.

**Christopher A. McLean,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 98-22932 Filed 8-25-98; 8:45 am]

BILLING CODE 3410-15-P

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 USC Chapter 35).

**Agency:** National Oceanic and Atmospheric Administration (NOAA).  
**Title:** Foreign Fishing Vessel Permit Applications.

**Agency Form Number(s):** None.  
**OMB Approval Number:** 0648-0089.

**Type of Request:** Extension of a currently approved collection.

**Burden:** 50 hours.

**Number of Respondents:** 50.

**Avg. Hours Per Response:** 1 hour.

**Needs and Uses:** Section 204 of the Magnuson-Stevens Fishery Conservation and Management Act provides for the issuance of foreign fishing permits. This information collection covers the submission of application information necessary to evaluate and act on permit applications.  
**Affected Public:** Businesses or other for-profit organizations.

**Frequency:** On occasion, annually.

**Respondent's Obligation:** Required to obtain or retain benefits.

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, 725 17th Street, NW, Washington, DC 20503.

Dated: August 20, 1998.

**Linda Engelmeier,**

*Departmental Forms Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 98-22903 Filed 8-25-98; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 USC Chapter 35).

**Agency:** National Oceanic and Atmospheric Administration (NOAA).

**Title:** Fishermen's Contingency Fund.

**Agency Form Number(s):** NOAA 88-164 and NOAA 88-166.

**OMB Approval Number:** 0648-0082.

**Type of Request:** Extension of a currently approved collection.

**Burden:** 2,017 hours.

**Number of Respondents:** 200.

**Avg. Hours Per Response:** 5 minutes for the 15-day report, 10 hours for the application.

**Needs and Uses:** Title IV of the Outer Continental Shelf Lands Act Amendments established the Fishermen's Contingency Fund to compensate commercial fishermen for property or economic loss caused by oil and gas obstructions on the U.S. Outer Continental Shelf. The Fund is funded by fees assessed oil and gas companies operating on the Outer Continental Shelf. In order to receive compensation, a claim must file with the National Marine Fisheries Service. The documentation is used to determine if the claimant is eligible for compensation and to determine the amount of payment.