

# 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

### Commodity Credit Corporation

RIN 0560-AG48

### Sugar Payment-In-Kind (PIK) Diversion Program

**AGENCY:** Commodity Credit Corporation, USDA.

**ACTION:** Notice of program Implementation.

**SUMMARY:** This notice implements section 1009(e) of the Food Security Act of 1985 with respect to existing Commodity Credit Corporation (CCC) inventories of sugar. Based on the combination of relatively low market prices, CCC holding sugar inventory with no other specific disposal plan, and U.S. sugar producers' growing realization of the major market problems facing the sugar sector, CCC is implementing a Sugar Payment-In-Kind (PIK) Diversion Program to help reduce CCC's sugar inventory and related storage costs.

**EFFECTIVE DATE:** September 7, 2001.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Bickerton, Economist, Dairy and Sweetener Analysis, Farm Service Agency, USDA, STOP 516, 1400 Independence Avenue, SW., Washington, DC 20250-0516.

#### SUPPLEMENTARY INFORMATION:

#### Authority for a Sugar PIK Diversion Program

Authority for CCC to conduct a Sugar PIK Diversion Program is based on section 1009(e) of the Food Security Act of 1985, which provides that when a loan program is in effect, the Secretary may, at any time before harvest, accept bids from producers to convert planted acreage to diverted acreage in return for payment in kind from CCC surplus stocks of the commodity to which the acreage was planted. Subsection (e) also states that no producer may receive over

\$20,000 worth of in-kind payments. Such action can be taken only if: (1) Changes in domestic or world supply or demand conditions occurred after the announcement of the loan program for the crop and (2) without action to further adjust production, the Government and producers will be faced with a burdensome and costly surplus. Overall, the measures addressed in section 1009(e) and other subsections can be taken under the terms of the statute only if they would reduce direct and indirect costs to the Government without adversely affecting the income of participating small- and medium-size producers.

#### Basis for Implementing a Sugar PIK Diversion Program

CCC is implementing a Sugar PIK Diversion Program to reduce the cost of the sugar loan program by eliminating up to 200,000 tons of CCC's sugar inventory and related Government storage costs.

#### Program Design

##### Administration

This program will be administered by the Executive Vice President, CCC as follows.

##### 1. Bid Submission Procedures

(a) Producers wishing to participate in the program must submit a bid to their local Farm Service Agency Service Center during the period between September 10 and 21, 2001. The bid must be on form CCC-744. The contract will provide for the diversion of acreage planted to sugar beets or sugar cane which are under contract for delivery to a sugar processor. Diverted acreage may not be harvested for sugar or used for any other commercial purposes. In return, producers will receive in-kind payments of sugar from CCC's inventory.

(b) The bid must provide information necessary for conducting the program, including but not limited to, the number of acres that the producer will divert; the producer's 1997-1999 simple average sugar beet or sugar cane yield, the 1997-1999 simple average sugar content of the producer's beets or cane, the processor's 1997-1999 simple average recovery rate, and the value of CCC sugar sought as payment.

(c) Notification of acceptable bids, unless otherwise determined by CCC,

will be published on or about September 28, 2001.

##### 2. In-Kind Payments

(a) CCC will, through such methods as CCC deems appropriate, make in-kind payments in the form of sugar held in CCC inventory.

(b) Subject to CCC approval, producers will have the option of receiving either refined beet sugar or raw cane sugar.

(c) The value of CCC-owned inventory is dependent upon the storage location of the sugar and the type of sugar (raw or refined). Accordingly, the quantity of sugar to be paid by CCC as an in-kind payment to a producer will be determined by dividing: (1) The total of the bid amount submitted by the producer and accepted by CCC, by (2) the value per unit of CCC's inventory at the storage location where title will transfer from CCC to the producer, or the producer's assignee.

(d) Producers may assign their in-kind payments only to the processor with whom the producer has a 2001-crop sugar contract.

(e) CCC will transfer title of the sugar to the producer, or the producer's assignee, no earlier than October 1, 2001, and no later than March 31, 2002, as determined by CCC, by notifying the producer or assignee that the sugar is available to them. CCC will stop storage payments on this sugar on the date of transfer.

##### 3. Payment Limitation

(a) A \$20,000 payment limitation applies separately to each "producer," defined as an individual, and each individual member of a joint operation or joint venture. However, minors are combined with their guardian or parent for payment limitation purposes.

(b) This payment limitation is separate and distinct from all other CCC program payment limitations. In the case of current verbal contracts with processors, proof of payment as multiple persons may be required for multiple program eligibilities. Also, husbands and wives may be required to be separate signatories to written contracts in order to be separately eligible for payments.

##### 4. Planting Limitation to the 2001 Crop

(a) Participation in the 2001 PIK Program is open to all producers,

regardless of whether or not they participated in the 2000 PIK Program.

(b) Participants in the 2001 PIK Program will be ineligible to participate in any future sugar PIK diversion program if they plant or have an interest in, directly or indirectly, more total acres to sugar beets or sugar cane in future years than in 2001.

#### 5. Bid Rankings

CCC will rank eligible bids on the basis of the bid amount as a percentage of the bid cap, which is CCC's estimate of the value of the diverted sugar production. Eligible bids with the lowest of such percentages will be selected first. In the case of bids with identical ranking, selection will be based on random selection or pro rata shares, as CCC deems appropriate.

Signed in Washington, D.C., on September 7, 2001.

**James R. Little,**

*Acting Executive Vice President, Commodity Credit Corporation.*

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BILLING CODE 3410-05-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Transfer of Administrative

**Jurisdiction: Fort Leonard Wood Military Reservation Interchange, Mark Twain National Forest, MO**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of land interchange.

**SUMMARY:** On June 18, 2001, and June 29, 2001, respectively, the Secretary of the Army and the Secretary of Agriculture signed a joint interchange order authorizing the transfer of administrative jurisdiction from the Department of Agriculture to the Department of the Army for 9,990 acres, more or less (Exhibit B), lying within the Fort Leonard Wood Military Reservation and the Mark Twain National Forest, Pulaski County, Missouri. Furthermore, the order transfers from the Department of the Army to the Department of Agriculture for inclusion in the Mark Twain National Forest 1,819 acres, more or less (Exhibit A), within the boundaries of the Mark Twain National Forest, Pulaski and Laclede Counties, Missouri. At this time, however, only 1,769 acres, more or less, are being transferred to the Department of Agriculture, Forest Service, and 50 acres are being retained under the jurisdiction of the Army. These 50 acres (Exhibit C) have been identified as possibly containing

ordnance, explosives, or other hazardous materials and will not be transferred until necessary response actions have been completed as acceptable to the Department of Agriculture, Forest Service. Upon completion of the environmental response activities, as agreed by the Army and the Forest Service, the Forest Service will publish a notice in the **Federal Register** that the lands described in Exhibit C are deemed transferred to the jurisdiction of the Secretary of Agriculture as provided in the joint interchange order. Copies of the joint order, as signed, and Exhibits A, B and C, which describe the lands therein being conveyed and those lands excluded from jurisdictional change to the Forest Service until completion of investigation and remediation by the Army, are set out at the end of this notice.

**DATES:** The 45-day Congressional oversight requirement of the Act of July 26, 1956 (70 Stat. 656; 16 U.S.C. 505a, 505b) has been met. The order is effective September 12, 2001.

**ADDRESSES:** Copies of the maps showing the lands included in this joint interchange are on file and available for public inspection in the Office of the Director, Lands Staff, 4th Floor—South, Sidney R. Yates Federal Building, Forest Service, USDA, 201 14th Street, SW., Washington, DC 20250, between the hours of 8:30 a.m. and 4:30 p.m. on business days. Those wishing to inspect the maps are encouraged to call ahead to (202) 205-1248 to facilitate entry into the building.

#### FOR FURTHER INFORMATION CONTACT:

David M. Sherman, Lands Staff, Forest Service, USDA, P.O. Box 96090, Washington, DC 20090-6090, Telephone: (202) 205-1362.

Dated: September 5, 2001.

**James R. Furnish,**

*Deputy Chief for National Forest System.*

### Department of the Army

#### Department of Agriculture

*Fort Leonard Wood, Missouri—Joint Order Interchanging Administrative Jurisdiction of Department of the Army Lands and National Forest System Lands*

By virtue of the authority vested in the Secretary of the Army and the Secretary of Agriculture by the Act of July 26, 1956, (70 Stat. 656; 16 U.S.C. 505a, 505b), it is ordered as follows:

1. The lands under the jurisdiction of the Department of the Army described in Exhibit A and shown on a map on file and available for public inspection in the Office of the Chief, U.S. Department

of Agriculture (USDA), Forest Service, Washington, DC, which lie within the boundary of Fort Leonard Wood Military Reservation, Missouri, are hereby transferred from the jurisdiction of the Secretary of the Army to the jurisdiction of the Secretary of Agriculture, subject to outstanding rights or interests of record.

2. The lands under the jurisdiction of the USDA Forest Service described in Exhibit B and shown on a map on file and available for public inspection in the office of the Chief, USDA Forest Service, Washington, DC, which lie within the Mark Twain National Forest, Missouri, are hereby transferred from the jurisdiction of the Secretary of Agriculture to the jurisdiction of the Secretary of the Army, subject to outstanding rights or interests of record.

3. All lands described in Exhibit C that have been identified as possibly containing ordnance, explosives, or other hazardous materials will be retained under Army jurisdiction until necessary response actions are completed as acceptable to the USDA Forest Service. Upon completion of the environmental response activities, as agreed upon by the Army and the Forest Service pursuant to a Memorandum of Understanding dated May 23, 2001 and June 6, 2001, the Forest Service shall publish a notice in the **Federal Register** that the lands described in Exhibit C are deemed transferred to the jurisdiction of the Secretary of Agriculture as provided in this Joint Interchange Order.

4. Subject to the condition in Paragraph 3 and pursuant to section 2 of the aforementioned Act of July 26, 1956, the National Forest System lands transferred to the Secretary of Army by this Joint Interchange Order, are hereby subject only to the laws applicable to the Department of the Army lands comprising Fort Leonard Wood Military Reservation, Missouri. The Department of the Army lands transferred to the Secretary of Agriculture by this order are hereafter subject only to the laws applicable to lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended. Subject to the condition in Paragraph 3, the boundary of Fort Leonard Wood Military Reservation is hereby adjusted to exclude all of the lands transferred to the Secretary of Agriculture and include all lands received by the Secretary of Army, subject to outstanding rights or interests of record. Also subject to paragraph 3, pursuant to section 11 of the Weeks Act (16 U.S.C. 521), the boundary of the Mark Twain National Forest is hereby modified to include those lands transferred from the Secretary of the Army to the Secretary of Agriculture.