

no crop was to be harvested in return for sugar from CCC's inventory. Accordingly, it would not be proper to consider such acres to have suffered a loss of the crop for purposes due to the application of this herbicide. Subject to the availability of funds, Oust benefits under this notice for losses to crops shall be made in an amount determined by multiplying the determined eligible loss of production in excess of 25 percent of the expected production for the field by the applicable payment rate.

Production shall include all harvested production, unharvested production and assigned production for the field. The county committee shall assign production when the county committee determines: (1) An acceptable appraisal or record of harvested production does not exist; (2) acreage was destroyed and no appraisal exists; (3) yields are diminished or losses are increased due to an ineligible cause of loss.

The county committee shall establish production factors for ineligible causes of loss. Production factors will apply when assigning production for ineligible causes of loss.

Producers are responsible for providing verifiable or reliable production records available for the crop and field and summarizing all the production evidence. If the eligible crop was sold or otherwise disposed of through commercial channels, production records include: commercial receipts; settlement sheets; warehouse ledger sheets; or load summaries; appraisal information from a loss adjuster acceptable to CCC. If the eligible crop was farm-stored, sold, fed to livestock or disposed of by means other than commercial channels, production records for these purposes include: truck scale tickets; appraisal information from a loss adjuster acceptable to CCC; contemporaneous diaries; or other documentary evidence, such as contemporaneous measurements.

Producers must provide all records for any production of a crop that is grown with an arrangement, or contract for guaranteed payment. The failure to report the existence of any guaranteed contract or similar arrangement or agreement shall be considered as providing false information to CCC and will render producers ineligible for Oust benefits, and may lead to other civil or criminal sanctions.

To receive Oust benefits, the county committee must determine that because of the herbicide Oust, the producer, with respect to the 2001 crop year, sustained a loss in production of a crop.

To determine if eligible acreage was damaged by Oust, the producer must

supply one of the following types of documentation: (1) Field inspection form compiled by a licensed crop consultant; (2) documentation from an independent crop consultant that indicates Oust damage; (3) positive soil test results that show the presence of Oust in the sample; or (4) documentation from a University of Idaho Specialist that the acreage showed Oust damage.

To apply for benefits, producers must submit: (1) Form CCC-559, and include supporting documentation described in this notice; (2) Form AD-1026, Highly Erodible Land and Wetland Conservation Compliance; and (3) FSA-578, Report of Acreage.

Unless extended by CCC, the final date for accepting applications for the Oust Program shall be no less than 15 calendar days after the date this notice is published in the **Federal Register**. It has been determined that the notice and comment provisions of section 553 of title 5, United States Code, the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), relating to notices of proposed rulemaking and public participation in rulemaking, and chapters 35 of title 44, United States Code (the "Paperwork Reduction Act") are not applicable to the Oust Program. Also delay for Congressional review under 5 U.S.C. 808 *et seq.*, to the extent if any, that it would otherwise apply, would be contrary to the public interest and contrary to the provisions of section 757 of Public Law 107-76 which specifies that in carrying out that section the Secretary shall use the authority of 5 U.S.C. 808 exempting agency actions from such review. Applications may be obtained and filed in the county FSA office where the producer's farm is located for administrative purposes. All late and incomplete applications may be rejected.

The Oust Program shall be under the supervision of the Farm Service Agency, Deputy Administrator for Farm Programs, who shall have the authority to modify terms and conditions of the Oust Program in order to achieve the purposes of the Oust Program. Additional conditions may be added by the program application as needed. No claims will be paid except upon the making of a proper application during the sign-up period for this program. The final terms and conditions shall be those set out in the program application, CCC-559, which all participants must sign. A copy of this form is available at any FSA office.

For additional information, affected producers should contact the Farm

Service Agency Service Center in the county in which their farm is located for administrative purposes. Eligibility determinations will be made upon receipt of all of the necessary data.

Signed at Washington, DC, on July 25, 2002.

**James R. Little,**

*Executive Vice President, Commodity Credit Corporation.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Flathead County Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Flathead County Resource Advisory Committee will meet in Kalispell, Montana August 5 and August 20. The purpose of the meeting is to discuss potential Title II projects for fiscal year 2003 funded by the Secure Rural Schools and Community Self Determination Act.

**DATES:** The meetings will be held August 5 from 7 pm to 9:30 pm and August 20, 7 pm to 9:30 pm.

**ADDRESSES:** The meeting will be held at the Flathead National Forest Supervisors Office, Conference Rooms A & B, 1935 third Ave East, Kalispell, Montana, 59901.

**FOR FURTHER INFORMATION CONTACT:** Allen Rowley, Flathead National Forest Public Affairs Specialist, (406) 758-5252.

**SUPPLEMENTARY INFORMATION:** The meeting is open to the public. Time will be available for public input on potential projects the committee may be discussing.

**Allen Rowley,**

*Public Affairs Specialist.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Revised Payments Table Related to Secure Rural Schools and Community Self-Determination Act of 2000 and Opportunity for Counties To Change Payment Election Decisions

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Secure Rural Schools and Community Self-Determination Act of 2000 provides counties that receive payments under the 25 percent fund with the option of receiving their share of the State's full payment amount (as defined by the act), in lieu of the 25 percent fund payments. In 2000, the Forest Service provided a table displaying the dollar amounts for revenues distributed to each State by year and county. Counties used this table in making their election decisions for payments. As directed by the Agriculture Appropriations Act for Fiscal Year 2002, the Forest Service has revised this table, which incorrectly accounted for certain mineral revenues for some States. The agency submitted the revised table to Congress along with a report explaining the issues and the revision process. This notice provides information regarding the availability of the revised table and report, and notifies counties of the 90-day period during which they may change their payment elections.

**DATES:** Changes to county election decisions must be received in writing on or before October 29, 2002.

**ADDRESSES:** Counties wishing to change their payment election decisions should do so in writing to Michael Morton, USDA Forest Service, Financial Management Staff (Mail Stop 1139), 1400 Independence Avenue, SW., Washington, DC 20250-1139 (e-mail: [mpmorton@fs.fed.us](mailto:mpmorton@fs.fed.us); facsimile: 703-605-5264). The revised payments table and accompanying report are available electronically from the Forest Service via the World Wide Web/Internet at <http://www.fs.fed.us/payments>. Single paper copies of the revised payments table and report also are available by contacting Tom Quinn, USDA Forest Service, Policy Analysis Staff (Mail Stop 1131), 1400 Independence Avenue, SW., Washington, DC 20250-1131 (e-mail: [tquinn01@fs.fed.us](mailto:tquinn01@fs.fed.us)).

**FOR FURTHER INFORMATION CONTACT:** Tom Quinn (202-205-0846) or Maitland Sharpe (202-205-0932), Policy Analysis Staff, or Michael Morton (703-605-4724), Financial Management Staff.

**SUPPLEMENTARY INFORMATION:** The Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393) provides counties that received payments under the 25 Percent Fund Act of 1908 (16 U.S.C. 500) with the option of receiving their share of the State's full payment amount (as defined by the act), in lieu of the 25 percent fund payments. The Forest Service provided a table displaying each State's full payment amount and an associated county distribution in 2000 to Congress

and affected counties. The table also was made available electronically on the agency's World Wide Web/Internet web site and other web sites. The counties used this table in making their election decisions regarding the option to receive their share of the State's full payment amount (as defined by the act) in lieu of the 25 percent fund payment.

Subsequently, it was determined that certain mineral revenues for some States were incorrectly accounted for in the table. Therefore, as directed by the Agriculture Appropriations Act for Fiscal Year 2002, the Forest Service has revised the payments table and prepared a report outlining the process used to revise the table consistent with the Congressional direction. The agency has submitted the revised payments table and accompanying report to Congress and has made the documents available electronically as set out in the **ADDRESSES** section of this notice.

Congress specified that if the revised table results in a reduced full payment amount share for an eligible county that elected to receive its share of the state's full payment amount, the eligible county shall have a 90-day period, beginning on the date the revised table is first made available to the public, during which to reconsider and change its election.

As directed by the Congress, the Forest Service has worked with the U.S. Department of the Interior, Minerals Management Service (MMS) to use the best available information to revise the payments table. The analysis resulted in changes in the payments table for 16 States: Alabama, Arkansas, Florida, Illinois, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New Mexico, Ohio, Oklahoma, Texas, Virginia, and West Virginia. Although each of these 16 States is affected to varying degrees, the effects of the revisions are most evident on a state-wide basis for Arkansas, Kentucky, Louisiana, Ohio, Oklahoma, and Missouri; the latter being the only State with a large increase in the full payment amount. By far the largest decline in the full payment amount is for Arkansas, with a potential reduction of \$1.003 million if all counties choose the full payment amount. For the first two years of Public Law 106-393 implementation, 14 of the 29 eligible counties in Arkansas elected the full payment amount; therefore the actual reduction for this period would be \$651,600.

It is possible that States with substantial hard-rock revenues (such as Missouri) would no longer receive payments for these minerals from the MMS for the counties choosing the full payment amount, which could result in

large reductions in the total payments received by these States. In the case of Missouri, if all counties choose the full payment amount, MMS payments could drop by upwards of \$1 million annually. The decision on whether payments for hard-rock minerals will continue rests with the MMS and the Department of the Interior.

The revised table redistributes each State's full payment amount based on the National Forest location of the relevant minerals and the counties within those forests. In some States (for example, Michigan), this redistribution can result in significant effects on individual counties' payments even while the State's total full payment amount remains essentially unchanged.

Dated: July 24, 2002.

**Sally D. Collins,**  
*Associate Chief.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### **Fresh Garlic from the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review and Intent to Rescind in Part**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Preliminary Results of Antidumping Duty New Shipper Review and Intent to Rescind in Part.

**SUMMARY:** In response to requests from interested parties, the Department of Commerce is conducting a new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China. The review covers Jinan Yipin Corporation, Ltd., and Shandong Heze International Trade and Developing Company. The period of review is November 1, 2000, through October 31, 2001.

We have preliminarily determined that Jinan Yipin Corporation, Ltd., has made sales in the United States at prices below normal value. With respect to Shandong Heze International Trade and Developing Company, we intend to rescind the antidumping duty new shipper review. We invite interested parties to comment on these preliminary results. Parties who submit comments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.