

regarding any equal employment law or its application.

(c) No employee of the Equal Employment Opportunity Commission, other than a special Government employee, may engage in outside employment involving a particular matter pending at EEOC or an equal employment opportunity matter in which EEOC or the Federal Government is a party. An employee may, however, provide behind-the-scenes assistance to immediate family members in matters pending at EEOC or equal employment opportunity matters in which EEOC or the Federal government is a party.

§ 7201.103 Prior approval for outside employment.

(a) Before engaging in any outside employment, with or without compensation, an employee of the Equal Employment Opportunity Commission must obtain written approval from his or her Deputy Ethics Counselor or designee.

(b) In addition to approval under paragraph (a) of this section, an employee must obtain prior written approval from the Designated Agency Ethics Official or designee to engage in:

(1) Compensated outside employment;

(2) The uncompensated practice of law; or

(3) Uncompensated outside employment that involves representation or the rendering of advice or analysis regarding any equal employment law, or serving as an officer or director of an organization whose activities are devoted substantially to equal employment opportunity matters.

(c) Approval will not be granted if the outside employment is expected to involve conduct inconsistent with or prohibited by a statute or Federal regulation, including 5 CFR part 2635 and this part.

(d) For purposes of this section, "employment" means any form of non-Federal employment or business relationship involving the provision of personal services by the employee. It includes, but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service or civic organization unless:

(1) The employee's participation involves the provision of professional services or advice;

(2) The employee will receive compensation other than reimbursement of expenses; or

(3) The organization's activities are devoted substantially to matters relating to equal employment law and the employee will serve as officer or director of the organization.

29 CFR CHAPTER XIV—EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PART 1600—[AMENDED]

2. The authority citation for part 1600 is revised to read as follows:

Authority: 5 U.S.C. 7301.

3. Subparts A through D, consisting of §§ 1600.735–101 through 1600.735–106, 1600.735–201 through 1600.735–206, 1600.735–301, and 1600.735–401 through 1600.735–406, respectively, and appendix A to part 1600 are removed.

4. A new § 1600.101 is added to read as follows:

§ 1600.101 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

Employees of the Equal Employment Opportunity Commission (EEOC) are subject to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, the EEOC regulation at 5 CFR part 7201, which supplements the executive branch-wide standards, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

PART 1650—[AMENDED]

1. The authority citation for part 1650 is revised to read as follows:

Authority: 5 U.S.C. 5514; 31 U.S.C. 3720A; 5 CFR 550.1101.

2. Subpart E of part 1600 is redesignated as new subpart A in part 1650 as indicated in the table below:

Old section	New section
1600.735–501	1650.101
1600.735–502	1650.102
1600.735–503	1650.103
1600.735–504	1650.104
1600.735–505	1650.105
1600.735–506	1650.106
1600.735–507	1650.107
1600.735–508	1650.108
1600.735–509	1650.109
1600.735–510	1650.110
1600.735–511	1650.111
1600.735–512	1650.112
1600.735–513	1650.113
1600.735–514	1650.114
1600.735–515	1650.115
1600.735–516	1650.116

Old section	New section
1600.735–517	1650.117
1600.735–518	1650.118
1600.735–519	1650.119

[FR Doc. 96–4115 Filed 2–23–96; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 989

[FV96–989–11FR]

Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for the 1995–96 Crop Year for Natural (Sun-Dried) Seedless, Zante Currant, and Other Seedless Raisins

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This interim final rule establishes final free and reserve percentages for 1995–96 crop Natural (sun-dried) Seedless (NS), Zante Currant (ZC), and Other Seedless (OS) raisins. The percentages are 79 percent free and 21 percent reserve, 70 percent free and 30 percent reserve, and 51 percent free and 49 percent reserve for NS, ZC, and OS raisins, respectively. These percentages are intended to stabilize supplies and prices and to help counter the destabilizing effects of the burdensome oversupply situation facing the raisin industry. This rule was unanimously recommended by the Raisin Administrative Committee (Committee), the body which locally administers the marketing order.

DATES: This interim final rule becomes effective February 26, 1996, and applies to all NS, ZC, and OS raisins acquired from the beginning of the 1995–96 crop year. Comments which are received by March 27, 1996 will be considered prior to any finalization of this interim final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this action. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, room 2525–S, P.O. Box 96456, Washington, DC 20090–6456, or faxed to 202–720–5698. Comments should reference the docket number and the date and page number of this issue of the Federal Register and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Richard P. Van Diest, Marketing Specialist, California Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, 2202 Monterey Street, suite 102B, Fresno, California 93721; telephone: 209-487-5901 or Mark A. Slupek, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2523-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: 202-205-2830.

SUPPLEMENTARY INFORMATION: This interim final rule is issued under marketing agreement and Order No. 989 (7 CFR part 989), both as amended, regulating the handling of raisins produced from grapes grown in California, hereinafter referred to as the "order." The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act."

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This interim final rule has been reviewed under Executive Order 12778, Civil Justice Reform. Under the marketing order provisions now in effect, final free and reserve percentages may be established for raisins acquired by handlers during the crop year. This rule establishes final free and reserve percentages for NS, ZC, and OS raisins for the 1995-96 crop year, beginning August 1, 1995, through July 31, 1996. This interim final rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and requesting a modification of the order or to be exempt therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his/her principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the

Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 20 handlers of California raisins who are subject to regulation under the raisin marketing order, and approximately 4,500 producers in the production area. Small agricultural service firms have been defined by the Small Business Administration (13 CFR 121.601) as those whose annual receipts (from all sources) are less than \$5,000,000, and small agricultural producers are defined as those having annual receipts of less than \$500,000. No more than eight handlers, and a majority of producers, of California raisins may be classified as small entities. Twelve of the 20 handlers subject to regulation have annual sales estimated to be at least \$5,000,000, and the remaining eight handlers have sales less than \$5,000,000, excluding receipts from any other sources.

The order prescribes procedures for computing trade demands and preliminary and final percentages that establish the amount of raisins that can be marketed throughout the season. The regulations apply to all handlers of California raisins. Raisins in the free percentage category may be shipped immediately to any market, while reserve raisins must be held by handlers in a reserve pool for the account of the Committee. Under the order, reserve raisins may be: Sold at a later date by the Committee to handlers for free use; used in diversion programs; exported to authorized countries; carried over as a hedge against a short crop the following year; or disposed of in other outlets noncompetitive with those for free tonnage raisins.

While this rule may restrict the amount of NS, ZC, and OS raisins that enter domestic markets, final free and reserve percentages are intended to lessen the impact of the oversupply situation facing the industry and promote stronger marketing conditions, thus stabilizing prices and supplies and improving grower returns. In addition to the quantity of raisins released under the preliminary percentages and the final percentages, the order specifies

methods to make available additional raisins to handlers by requiring sales of reserve pool raisins for use as free tonnage raisins under "10 plus 10" offers, and authorizing sales of reserve raisins under certain conditions.

The Department's "Guidelines for Fruit, Vegetable, and Specialty Crop Marketing Orders" specifies that 110 percent of recent years' sales should be made available to primary markets each season before recommendations for volume regulation are approved. This goal is met by the establishment of a final percentage which releases 100 percent of the computed trade demand and the additional release of reserve raisins to handlers under "10 plus 10" offers. The "10 plus 10" offers are two simultaneous offers of reserve pool raisins which are made available to handlers each season. For each such offer, a quantity of raisins equal to 10 percent of the prior year's shipments is made available for free use.

Pursuant to section 989.54(a) of the order, the Committee, which is responsible for local administration of the order, met on August 15, 1995, to review shipment and inventory data, and other matters relating to the supplies of raisins of all varietal types. The Committee computed a trade demand for each varietal type for which a free tonnage percentage might be recommended. The trade demand is 90 percent of the prior year's shipments of free tonnage and reserve tonnage raisins sold for free use for each varietal type into all market outlets, adjusted by subtracting the carryin of each varietal type on August 1 of the current crop year and by adding to the trade demand the desirable carryout for each varietal type at the end of that crop year. As specified in section 989.154, the desirable carryout for each varietal type shall be equal to the shipments of free tonnage raisins of the prior crop year during the months of August, September, and one fourth of October. If the prior year's shipments are limited because of crop conditions, the total shipments during that period of time during one of the three years preceding the prior crop year may be used. In accordance with these provisions, the Committee computed and announced 1995-96 trade demands of 257,314 tons, 2,208 tons, and 1,047 tons for NS, ZC, and OS raisins, respectively.

As required under section 989.54(b) of the order, the Committee met on October 3, 1995, and computed and announced preliminary crop estimates and preliminary free and reserve percentages for NS and ZC raisins which released 65 percent of the trade demand since the field prices had not

been established, and 85 percent of the trade demand for OS raisins because the field price had been established. The preliminary crop estimates and preliminary free and reserve percentages were as follows: 335,118 tons, 50 percent free, and 50 percent reserve for NS raisins; 3,696 tons, 39 percent free, and 61 percent reserve for ZC raisins; and 2,197 tons, 40 percent free, and 60 percent reserve for OS raisins. The Committee authorized the Committee staff to modify the preliminary percentages to release 85 percent of the trade demand when the field prices were established for NS and ZC raisins. The preliminary percentages for NS and ZC raisins were adjusted soon thereafter to 65 percent free, 35 percent reserve, and 51 percent free and 49 percent reserve, respectively.

Also at that meeting, the Committee computed and announced preliminary crop estimates and preliminary free and reserve percentages for Dipped Seedless, Oleate and Related Seedless, Golden Seedless, Sultana, Muscat, and Monukka raisins. It determined that the supplies of these varietal types would be less than or close enough to the computed trade demands for each variety, and that volume control percentages would not be necessary to maintain market stability for these varietal types.

On January 12, 1996, the Committee recommended final percentages of 79 percent free, 21 percent reserve for NS raisins; 70 percent free, 30 percent reserve for ZC raisins; and 51 percent free, 49 percent reserve for OS raisins.

Pursuant to section 989.54(c), the Committee may adopt interim free and reserve percentages. Interim percentages may release less than the computed trade demand for each varietal type. The Committee also computed interim free and reserve percentages at the January 12, 1996, meeting.

Interim percentages were announced as 78.75 percent free, 21.25 percent reserve for NS raisins; 69.75 percent free, 30.25 percent reserve for ZC raisins; and 50.75 percent free, 49.25 percent reserve for OS raisins. That action released most, but not all, of the computed trade demand for NS, ZC, and OS raisins.

Under section 989.54(d) of the order, the Committee is required to recommend to the Secretary, no later than February 15 of each crop year, final free and reserve percentages which, when applied to the final production estimate of a varietal type, will tend to release the full trade demand for any varietal type.

The Committee's final estimate of 1995-96 production of NS raisins is

325,808 tons. Dividing the computed trade demand of 257,314 tons by the final estimate of production results in a final free percentage of 79 percent and a final reserve percentage of 21 percent for NS raisins.

The Committee's final estimate of 1995-96 production of ZC raisins is 3,158 tons. Dividing the computed trade demand of 2,208 tons by the final estimate of production results in a final free percentage of 70 percent and a final reserve percentage of 30 percent for ZC raisins.

The Committee's final estimate of 1995-96 production of OS raisins is 2,048 tons. Dividing the computed trade demand of 1,047 tons by the final estimate of production results in a final free percentage of 51 percent and a final reserve percentage of 49 percent for OS raisins.

The free and reserve percentages established by this interim final rule will apply uniformly to all handlers in the industry, whether small or large, and there are no known additional costs incurred by small handlers. Although raisin markets are limited, they are available to all handlers, regardless of size. The stabilizing effects of the percentages impact both small and large handlers positively by helping them maintain and expand markets.

Based on available information, the Administrator of the AMS has determined that the issuance of this interim final rule will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant information presented, including the Committee's recommendations and other information, it is found that this regulation, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined that upon good cause it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the Federal Register because: (1) The relevant provisions of this part require that the percentages designated herein for the 1995-96 crop year apply to all NS, ZC, and OS raisins acquired from the beginning of that crop year; (2) handlers are currently marketing 1995-96 crop raisins of these varietal types and this action should be taken promptly to achieve the intended purpose of making the full trade demand quantities computed by the Committee available to handlers; (3) handlers are aware of this action, which

was unanimously recommended by the Committee at an open meeting, and need no additional time to comply with these percentages; and (4) this interim final rule provides a 30-day period for written comments and all comments received will be considered prior to finalization of this interim final rule.

List of Subjects in 7 CFR Part 989

Grapes, Marketing agreements, Raisins, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 989 is amended to read as follows:

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 989 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. Section 989.249 is added to Subpart—Supplementary Regulations to read as follows:

Note: This section will not appear in the annual Code of Federal Regulations.

§ 989.249 Final free and reserve percentages for the 1995-96 crop year.

The final percentages for standard Natural (sun-dried) Seedless, Zante Currant, and Other Seedless raisins acquired by handlers during the crop year beginning on August 1, 1995, which shall be free tonnage and reserve tonnage, respectively, are designated as follows:

Varietal type	Free percent-age	Reserve percent-age
Natural (sun-dried)		
Seedless	79	21
Zante Currant	70	30
Other Seedless	51	49

Dated: February 20, 1996.

Sharon Bomer Lauritsen,
Deputy Director, Fruit and Vegetable Division.
[FR Doc. 96-4180 Filed 2-23-96; 8:45 am]

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DEPARTMENT OF STATE

Bureau of Consular Affairs, Overseas Citizens Services

[Public Notice 2337]

22 CFR Part 94

International Child Abduction

AGENCY: Department of State.

ACTION: Final rule.