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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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FARM CREDIT ADMINISTRATION

12 CFR Part 615

RIN 3052-AB10

Eligibility and Scope of Financing; Loan Policies and Operations; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Affairs; General Provisions; Definitions; Disclosure to Shareholders; Nondiscrimination in Lending; Capital Adequacy and Customer Eligibility; Correction

AGENCY: Farm Credit Administration.

ACTION: Correcting amendment.

SUMMARY: The Farm Credit Administration (FCA) published a final rule (62 FR 4429, January 30, 1997) that amended the regulations which govern the capital adequacy provisions and the customer eligibility provisions for Farm Credit System institutions. This document corrects a typographical error in the final rule.

EFFECTIVE DATE: March 11, 1997.

FOR FURTHER INFORMATION CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of Policy Development and Risk Control, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4498, TDD (703) 883-4444.

SUPPLEMENTARY INFORMATION: In preparing the final rule for publication in the *Federal Register*, a typographical error was inadvertently made in the § 615.5301(b)(2).

List of Subjects

12 CFR Part 613

Agriculture, Banks, Banking, Credit, Rural areas.

12 CFR Part 614

Agriculture, Banks, Banking, Flood insurance, Foreign trade, Reporting and

recordkeeping requirements, Rural areas.

12 CFR Part 615

Accounting, Agriculture, Banks, Banking, Government securities, Investments, Rural areas.

12 CFR Part 618

Agriculture, Archives and records, Banks, Banking, Insurance, Reporting and recordkeeping requirements, Rural areas, Technical assistance.

12 CFR Part 619

Agriculture, Banks, Banking, Rural areas.

12 CFR Part 620

Accounting, Agriculture, Banks, Banking, Reporting and recordkeeping requirements, Rural areas.

12 CFR Part 626

Advertising, Aged, Agriculture, Banks, Banking, Civil rights, Credit, Fair housing, Marital status discrimination, Sex discrimination, Signs and symbols.

Accordingly, 12 CFR part 615 is corrected by making the following correcting amendment:

PART 615—FUNDING AND FISCAL AFFAIRS, LOAN POLICIES AND OPERATIONS; AND FUNDING OPERATIONS

1. The authority citation for part 615 continues to read as follows:

Authority: Secs. 1.5, 1.7, 1.10, 1.11, 1.12, 2.2, 2.3, 2.4, 2.5, 2.12, 3.1, 3.7, 3.11, 3.25, 4.3, 4.3A, 4.9, 4.14B, 4.25, 5.9, 5.17, 6.20, 6.26, 8.3, 8.0, 8.4, 8.6, 8.7, 8.8, 8.10, 8.12 of the Farm Credit Act (12 U.S.C. 2013, 2015, 2018, 2019, 2020, 2073, 2074, 2075, 2076, 2093, 2122, 2128, 2132, 2146, 2154, 2154a, 2160, 2202b, 2211, 2243, 2252, 2278b, 2278b-6, 2279aa, 2279aa-3, 2279aa-4, 2279aa-6, 2279aa-7, 2279aa-8, 2279aa-10, 2279aa-12); sec. 301(a) of Pub. L. 100-233, 101 Stat. 1568, 1608.

Subpart K—Surplus and Collateral Requirements

§ 615.5301 [Corrected]

2. On page 4447, second column, paragraph (b)(2) of § 615.5301 is corrected by removing the reference “§ 615.5330(b)(3)” and adding in its place, the reference “§ 615.5330(b)”.

Dated: April 15, 1997.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 97-10172 Filed 4-18-97; 8:45 am]

BILLING CODE 6705-01-P

RAILROAD RETIREMENT BOARD

20 CFR Part 367

RIN 3220-AB26

Collection of Debts

AGENCY: Railroad Retirement Board.

ACTION: Interim final rule.

SUMMARY: The Railroad Retirement Board (Board) amends its regulations pertaining to the collection of debts by offset against Federal payments to reflect amendments to section 3716 of Title 31 by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134).

DATES: *Effective Date:* This regulation will be effective April 21, 1997.

Comment Date: Comments due on or before June 20, 1997.

ADDRESSES: Comments may be mailed to the Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Ann L. Chaney, General Attorney, Bureau of Law, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611, (312) 751-7131, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Part 367 of the Board's regulations provides for the collection of debts by administrative offset under the authority of the Debt Collection Act of 1982, 31 U.S.C. 3716. The Debt Collection Improvement Act of 1996 (Pub. L. 104-134) amended 31 U.S.C. 3716 to provide for referral of delinquent Federal nontax debts to the Department of Treasury for administrative offset (“Treasury Offset Program”), and to provide for the mandatory referral of such debts over 180 days delinquent to the Treasury Offset Program, subject to certain exceptions. Accordingly, the Board amends this part to implement the provisions of Pub. L. 104-134.

Section 367.1 is revised to cite the authority of Pub. L. 104-134 and its provision for the referral of delinquent Federal nontax debts to the Treasury Offset Program.

Section 367.2 is amended to provide that only nontax debts will be referred to the Treasury Offset Program, and that a debt will not be referred if the Board's records show that foreclosure is pending on collateral securing the debt or if the debt has been referred to the Department of Justice or is otherwise in litigation with the Board.

Section 367.3 is amended to provide that the Board shall refer nontax debts over 180 days delinquent to the Treasury Offset Program and that in cases of mandatory referral of delinquent debt, unless otherwise directed by the Secretary of Treasury, the Board is not required to determine whether administrative offset is feasible, allowable, and appropriate.

Because all Federal agencies must comply with the Debt Collection Improvement Act of 1996, the Board is publishing this rule as an interim final rule rather than as a proposed rule. However, any person wishing to comment on this rule may do so within 60 days of the date of this publication in the **Federal Register**.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no new information collections associated with this rule.

List of Subjects in 20 CFR Part 367

Railroad employees, Railroad retirement, Railroad unemployment insurance.

For the reasons set out in the preamble, part 367 of title 20, chapter II of the Code of Federal Regulations is amended as follows:

PART 367—RECOVERY OF DEBTS OWED TO THE UNITED STATES GOVERNMENT BY ADMINISTRATIVE OFFSET

1. The authority citation for part 367 continues to read as follows:

Authority: 45 U.S.C. 231f(b)(5); 31 U.S.C. 3716.

2. Section 367.1 is revised to read as follows:

§ 367.1 Purpose and scope.

The regulations in this part establish procedures to implement the Debt Collection Act of 1982 (Pub. L. 97-365), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134), 31 U.S.C. 3716. The statute authorizes the Board to collect a claim arising under an agency program by means of administrative offset, and requires the Board to refer nontax debts

over 180 days delinquent to the Department of Treasury for administrative offset (the "Treasury Offset Program"). No claim may be collected by such means if outstanding for more than 10 years after the Board's right to collection of the debt first accrued, unless facts material to the Government's right to collect the debt were not known and could not reasonably have been known by the official or officials of the government who were charged with the responsibility to discover and collect such debts. This part specifies the agency procedures that will be followed by the Board for referral and collection by administrative offset.

3. Section 367.2 is amended by revising paragraph (a), the introductory text of paragraph (f), paragraphs (f)(2) and (j), and by adding new paragraphs (f)(3) and (k) to read as follows:

§ 367.2 Past-due legally enforceable debt.

(a) Which arose under any statute administered by the Board or under any contract; and with respect to debts referred to the Department of Treasury, is a nontax debt;

(f) With respect to which:

(2) The Board can clearly establish at the time of the referral that the automatic stay under section 362 of the Bankruptcy Code has been lifted or is no longer in effect with respect to the debtor (or, if an individual, his or her spouse) and the debt was not discharged in the bankruptcy proceeding; or

(3) The Board's records do not contain evidence that foreclosure is pending on collateral securing the debt.

(j) With respect to which the Board has given the debtor at least 60 days from the date of the notification required in paragraph (i) of this section to present evidence that all or part of the debt is not past due or legally enforceable, has considered evidence, if any, presented by the debtor, and has determined that the amount of such debt is past due and legally enforceable; and

(k) Which has not been referred to the Department of Justice or which is not otherwise in litigation with the Board.

4. Section 367.3 is amended by revising paragraphs (a) and (b) and the first sentence of paragraph (c) to read as follows:

§ 367.3 Board responsibilities.

(a) The Board may delegate to an employee or employees the

responsibility for collecting any claims owed the Board by means of administrative offset, except that all nontax debts over 180 days delinquent shall be referred to the Department of Treasury for administrative offset through the Treasury Offset Program as required by 31 U.S.C. 3716;

(b) Except for mandatory referral of claims to the Department of Treasury or as otherwise directed by the Secretary of Treasury, before collecting a claim by means of administrative offset, the Board must ensure that administrative offset is feasible, allowable, and appropriate, and must notify the debtor of the Board's policies for collecting a claim by means of administrative offset.

(c) Except for mandatory referral of claims to the Department of Treasury or as otherwise directed by the Secretary of Treasury, whether collection by administrative offset is feasible is a determination to be made on a case-by-case basis, in the exercise of its sound discretion.

Dated: April 10, 1997.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 97-10191 Filed 4-18-97; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 96F-0245]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the expanded safe use of 4-chloro-2-[[5-hydroxy-3-methyl-1-(3-sulphophenyl)-1H-pyrazol-4-yl]azo]-5-methylbenzenesulfonic acid, calcium salt (1:1); (C.I. Pigment Yellow 191) as a colorant for all polymers intended for use in contact with food. This action is in response to a petition filed by Hoechst Celanese Corp.

DATES: Effective April 21, 1997; written objections and requests for a hearing by May 21, 1997.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration,