

have reinstatement eligibility for competitive service positions and cannot be re-internted to the PMI Program.

(b) Termination. The appointment of a Presidential Management Intern expires at the end of the 2-year internship period. At that time, the employing agency may, with no break in service, convert the intern to a career or career-conditional appointment in accordance with 5 CFR 315.708, or extend the internship in accordance with § 362.202(b). If neither action is taken, the PMI appointment terminates.

(c) Reduction in Force. Presidential Management Interns are in the excepted service Tenure Group II for purposes of § 351.502 of this chapter.

§ 362.205 Movement of interns between departments or agencies.

To move from one agency to another during the internship, the intern must separate from the current agency and be reappointed under PMI appointment by the new employing agency without a break in service. The intern does not begin a new 2-year internship period; the time previously served under the PMI Program counts toward the completion of the 2-year period. The new employing agency must notify the OPM PMI Program office of the action.

§ 362.206 Career development.

(a) OPM responsibilities. OPM will:

- (1) Provide orientation and graduation programs for each intern class; and
- (2) Serve as a clearinghouse of available training opportunities.

(b) Agency responsibilities. Each agency will:

- (1) Work with the intern to develop a written outline of core competencies and technical skills (called an individual development plan) the intern must gain before conversion to a target position;

- (2) Provide at least 80 hours of formal training a year, including training in core competencies targeted to a functional area into which the intern will most likely be converted; and

- (3) Provide at least one rotational assignment to another functional area, made at the discretion of the agency.

[FR Doc. 97-1419 Filed 1-21-97; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 532

RIN 3206-AH59

Prevailing Rate Systems; Abolishment of San Joaquin, CA, Nonappropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final rule to abolish the San Joaquin, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine its sole county (San Joaquin County) as an area of application to the Sacramento, CA, NAF wage area for pay-setting purposes.

EFFECTIVE DATE: February 21, 1997. Employees currently paid rates from the San Joaquin, CA, NAF wage schedule will continue to be paid from that schedule until their conversion to the Sacramento, CA, NAF wage schedule on April 18, 1997, 1 day before the effective date of the next Sacramento, CA, wage schedule.

FOR FURTHER INFORMATION CONTACT: Angela Graham Humes, (202) 606-2848.

SUPPLEMENTARY INFORMATION: On September 17, 1996, OPM published an interim rule to abolish the San Joaquin, CA, NAF wage area and redefine its sole remaining county (San Joaquin County) as an area of application to the Sacramento, CA, NAF wage area. This change was necessary because the Stockton Naval Communication Station, host installation for the wage area, closed on September 30, 1996. The remaining installation in the area, the Defense Distribution Region West, has approximately 18 FWS employees and no longer meets the minimum FWS employment criterion (26 employees) required to be a survey area. The interim rule provided a 30-day comment period. OPM received no comments during the comment period. Therefore, the interim rule is being adopted as a final rule.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule amending 5 CFR part 532 published on September

17, 1996 (61 FR 48817), is adopted as final without any changes.

Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 97-1417 Filed 1-21-97; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1439

RIN 0560-AF11

Disaster Reserve Assistance Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Interim rule.

SUMMARY: The Commodity Credit Corporation (CCC) is announcing the availability of assistance under the Disaster Reserve Assistance Program to relieve the distress of livestock producers whose production of livestock feed has been adversely affected by natural disasters.

DATES: Interim rule effective January 10, 1997. Comments on this rule must be received on or before February 21, 1997. Comments on the information collection must be received on or before March 24, 1997.

ADDRESSES: Comments may be mailed to the Director, Emergency and Noninsured Assistance Program Division, Farm Service Agency (FSA), U.S. Department of Agriculture, STOP 0527, P.O. Box 2415, Washington, DC. 20013-2415.

FOR FURTHER INFORMATION CONTACT: Leona Dittus, Director, Emergency and Noninsured Assistance Program Division, Farm Service Agency, United States Department of Agriculture, STOP 0526, P.O. Box 2415, Washington, DC 20013-2415, 202-720-3168.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This interim rule is issued in conformance with Executive Order 12866 and has been determined to be significant and has been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this rule because the CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a

notice of proposed rulemaking with respect to the subject matter of this rule.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is needed.

Executive Order 12778

The interim rule has been reviewed in accordance with Executive Order 12778. The provisions of this interim rule preempt State laws to the extent such laws are inconsistent with the provisions of this rule. The provisions of this rule are retroactive to January 10, 1997. Before any judicial action may be brought concerning the provisions of this rule, the administrative remedies must be exhausted.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Unfunded Mandates

The provisions of the Unfunded Mandates Reform Act of 1995 are not applicable to this rule because the CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Small Business Regulatory Enforcement Fairness Act of 1996

Due to the extreme weather conditions and the need for immediate action, CCC has determined that, pursuant to section 808 of the Small Business Regulatory Enforcement Fairness Act of 1996, it is impracticable, unnecessary and contrary to the public interest to require this rule to conform to the requirements of section 801 of that Act. Accordingly, this rule is effective January 10, 1997.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995, CCC will submit an emergency information collection request (ICR) to OMB for the approval of the Disaster Reserve Assistance Program reports as necessary for the proper functioning of the program.

Title: Emergency Livestock Feed Assistance and Disaster Reserve Assistance Program.

OMB Control Number: 0560-0029.

Type of Request: Reinstatement, with change, of previously approved collection for which approval has expired.

Abstract: The information collected under Office of Management and Budget (OMB) Number 0560-0029, as identified above, is needed to enable the CCC to effectively administer the Disaster Reserve Assistance Program.

The CCC requires some of the information it collects to be reported in a standard manner. Although other institutions, public and private, generally require and collect information similar to that requested by CCC, there is a wide diversity in reporting practices.

Respondents generally consist of livestock owners applying for emergency livestock feed assistance. Compliance with local, State, and Federal laws is required, and evidence of compliance with these laws may be required.

The information collection required by this rule will be used by the CCC to approve or determine the eligibility and amount of assistance in accordance with this rule. The CCC considers the information collected to be essential to prudent eligibility and assistance determinations. Failure to make sound decisions in providing emergency livestock feed assistance would result in large losses to both the livestock owners and the Government, and weaken the overall agricultural economy.

Estimate of Burden: Public reporting burden for this information collections estimated to average .21 hours per response.

Respondents: Livestock owners.

Estimated Number of Respondents: 60,000.

Estimated Number of Responses per Respondents: 6.35.

Estimated Total Annual Burden on Respondents: 381,000 hours.

Topics for comments include:

(a) whether the collection of information is necessary for the proper performance of the functions of the CCC, including whether the information will have practical utility; (b) the accuracy of the CCC's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) 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 Officer for

Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to Leona Dittus, Director, Emergency and Noninsured Assistance Program Division, FSA, USDA, STOP 0527, P.O. Box 2415, Washington, D.C. 20013-2415, (202) 720-3168. Copies of the information collection may be obtained from Leona Dittus at the above address.

OMB is required to make a decision concerning the collection(s) of information contained in these interim 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 30 days of publication. This does not affect the deadline for the public to comment to the Department of Agriculture on any substantive DRAP regulations that may be the subject of other notices.

All responses will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Executive Order 12612

It has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will not have a substantial direct effect on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government.

Federal Assistance Programs

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.452.

Background

Pursuant to the authority set forth in section 813(c) of the Agricultural Act of 1970, as amended, it has been determined that:

1. Severe and prolonged natural disasters adversely affecting livestock producers across the country warrant implementing a Disaster Reserve Assistance Program to alleviate the distress caused by natural disaster conditions.

2. A notice published on October 29, 1996 (61 FR 55783) explained how provisions of 7 CFR part 1439 will apply to the Disaster Reserve Assistance Program. Contrary to the October 29, 1996, notice, sections 1439.401 through 403 will be applicable with the following revision.

3. This rule will amend part 1439 to provide assistance for feed losses in crop year 1996, for losses occurring

because of snow and freezing conditions. For Disaster Reserve Assistance Program applications made after January 10, 1997, assistance may be made available with respect to livestock feed losses occurring because of snow and freezing conditions. Such assistance shall be made without regard to the livestock being commingled, stranded, or the identity of ownership of the livestock and may be either donated CCC-inventory, donated hay, or a direct payment. Accordingly, 7 CFR 1439.402(a) is amended by adding the following: "For applications made in 1997, assistance for feed loss or inaccessibility may be made without respect to the livestock being commingled, stranded, and unidentified as to the livestock owner. Such losses must occur during the 1996 crop year because of snow or freezing conditions where an emergency declaration has been made by the President and while emergency snow conditions exist as determined by DAFP".

4. Based on the determinations made in the Federal Register notice of October 29, 1996, the Disaster Reserve Assistance Program is authorized for 1996 crop year livestock feed losses or inaccessibility for livestock owners who are determined eligible. Program payments will be contingent on the availability of CCC funds.

Accordingly, 7 CFR part 1439 is amended as follows:

PART 1439—EMERGENCY LIVESTOCK ASSISTANCE

1. The authority citation continues to read as follows:

Authority: 15 U.S.C. 714b and 714c, 7 U.S.C. 1427 and 1471j.

2. Section 1439.402(a) is revised to read as follows:

§ 1439.402 Assistance.

(a) Assistance is for eligible livestock that are commingled, stranded, and unidentified as to the livestock owner. For applications made in 1997, assistance for feed loss or inaccessibility may be made without respect to the livestock being commingled, stranded, and unidentified as to the livestock owner. Such losses must occur during the 1996 crop year because of snow or freezing conditions where an emergency declaration has been made by the President and while emergency snow conditions exist as determined by DAFP.

* * * * *

Signed at Washington, DC, on January 16, 1997.

Grant Buntrock,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 97-1523 Filed 1-16-97; 3:15 pm]

BILLING CODE 3410-05-P

7 CFR Part 1464

RIN 0560-AD93

Tobacco—Tobacco Loan Program, Importer Assessments

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: On April 20, 1995, the Commodity Credit Corporation (CCC) published an interim rule in the Federal Register (60 FR 19665) which, in accord with contemporaneous legislation, conditionally provided for certain revisions of the budget deficit marketing assessment (BDMA) for imported tobacco in the event that the President should issue a proclamation establishing a tariff-rate-quota (TRQ) for imported tobacco. This final rule adopts the interim rule with modifications to reflect that the proclamation has now been issued. Also, modifications have been made to other sections to eliminate references to tobaccos for which price support is not available, to modify the penalty provisions of the rules to reflect the quota proclamation made by the President, and to make other technical changes.

EFFECTIVE DATE: January 22, 1997.

FOR FURTHER INFORMATION CONTACT:

David W. Anderson, Tobacco and Peanuts Division, Farm Service Agency (FSA), United States Department of Agriculture (USDA), STOP 0514, P. O. Box 2415, Washington, DC 20013-2415, telephone 202-690-2518.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this rule since the CCC is not required by 5 USC 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Federal Assistance Program

The title and number of the Federal Assistance Program, as found in the Catalog of Federal Domestic Assistance, to which this rule applies is: Commodity Loans and Purchases—10.051.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on quality of the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is needed.

Executive Order 12372

This program/activity is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the notice related to 7 CFR part 3015, subpart V published at 48 FR 2915 (June 24, 1983).

Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. The provisions of this final rule are not retroactive and preempt state laws to the extent that such laws are inconsistent with the provisions of this final rule. Before any legal action is brought regarding determinations made under provisions of 7 CFR part 1464, the administrative appeal provisions set forth at 7 CFR part 780 and 7 CFR part 711, as applicable, must be exhausted.

Paperwork Reduction Act

The information collection requirements contained in these regulations (7 CFR part 1464) have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0560-0148.

Unfunded Federal Mandates

This rule contains no Federal mandates under the regulatory provisions of Title II of the Unfunded Mandate Reform Act of 1995 (UMRA), for State, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Background and Discussion

Since 1990 there has been a budget deficit marketing assessment (BDMA) collected on all price supported tobaccos. As reflected in an interim rule of April 20, 1995, 60 FR 19665, Congress, in legislation in 1993 extended the BDMA to all imports of tobacco. However, by legislation in 1994, the Congress imposed new limits on the BDMA and on the amount of the