

issued, on the basis of a civil action before it, a temporary restraining order enjoining the Secretary from implementing an order consolidating the current 31 Federal milk marketing orders into 11 orders. The consolidated orders were to become effective on October 1, 1999.

Accordingly, based upon the temporary restraining order granted by the U.S. District Court for the District of Vermont, the October 1, 1999, effective date of the order consolidating the current 31 milk marketing orders that was issued on August 23, 1999, and published in the **Federal Register** on September 1, 1999, at 64 FR 47898, is hereby delayed until further notice. The 31 current Federal milk orders will continue to remain in effect.

List of Subjects in 7 CFR Parts 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1012, 1013, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1064, 1065, 1068, 1076, 1079, 1106, 1124, 1126, 1131, 1134, 1135, 1137, 1138, and 1139

Milk marketing orders.

The authority citation for Parts 1000 through 1139 continues to read as follows:

Authority: 7 U.S.C. 601–674, and 7253.

Dated: September 30, 1999.

Michael V. Dunn,

Under Secretary, Marketing and Regulatory Programs.

[FR Doc. 99–25959 Filed 10–1–99; 10:38 am]

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DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1755

RUS Form 545, Central Office Equipment Contract (Not Including Installation)

AGENCY: Rural Utilities Service, USDA.

ACTION: Final rule.

SUMMARY: The Rural Utilities Service (RUS) is amending its regulations on Telecommunications Standards and Specifications for Materials, Equipment, and Construction to revise RUS Form 545 Central Office Equipment Contract (Not Including Installation). RUS is revising this contract form in order to incorporate contractual and technological changes.

EFFECTIVE DATE: November 4, 1999.

FOR FURTHER INFORMATION CONTACT: John J. Schell, Chief, Inside Plant Branch, Telecommunications Standards Division, Rural Utilities Service, Stop

1598, U.S. Department of Agriculture, 1400 Independence Ave., SW, Washington DC, 20250–1598, telephone number (202) 720–0671.

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).

Executive Order 12372

This final rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require a consultation with State and local officials. A final rule related Notice entitled, “Department Programs and Activities Excluded from Executive Order 12372” (50 FR 47034) exempts RUS and Rural Telephone Bank loans and loan guarantees from coverage under this Order.

Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. RUS has determined that this rule meets the applicable standards provided in section 3 of the Executive Order. In addition, all state and local laws and regulations that are in conflict with this rule will be preempted, no retroactive effort will be given to this rule, and, in accordance with Sec. 212(c) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. Sec. 6912(c)), appeal procedures must be exhausted before an action against the Department or its agencies may be initiated.

Regulatory Flexibility Act Certification

RUS has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The RUS telecommunications program provides loans to borrowers at interest rates and terms that are more favorable than those generally available from the private sector. RUS borrowers, as a result of obtaining federal financing, receive economic benefits that exceed any direct economic costs associated with complying with RUS regulations and requirements.

Information Collection and Recordkeeping Requirements

This rule contains no new reporting or recordkeeping burdens under OMB control number 0572–0059 that would require approval under the Paperwork

Reduction Act of 1995 (44 U.S.C. Chapter 35).

National Environmental Policy Act Certification

The Administrator of RUS has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

Catalog of Federal Domestic Assistance

The program described by this proposed rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.851, Rural Telephone Loans and Loan Guarantees; and number 10.852, Rural Telephone Bank Loans. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402–9325.

Unfunded Mandates

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

Background

The last revision to the RUS Form 545 was September 1966. Since that date, divestiture and competition legislation and regulation have brought about many changes in the conduct of telecommunications business. Notable advances of central office equipment technology such as Signaling System No. 7 (SS7), Advanced Intelligent Network (AIN), and Integrated Services Digital Network, have made many new services available. In order to address the above, significant changes have been made in the way business is conducted in the telecommunications industry.

RUS Form 545 incorporates those changes into the Central Office Equipment Contract. The main changes to the contract are new requirements that: (1) Provide for a software license, (2) provide for patent, copyright, and trademark infringement protection, (3) provide a cap on consequential damages, and (4) provide Equal Employment Opportunity requirements. In addition, it revises and updates provisions for (1) delivery of equipment, (2) inspection and testing of the completed installations, (3) payments to

the contractor, (4) insurance, (5) liquidated damages, and (6) completion of the project. The above actions will make it possible for RUS telecommunications borrowers to continue to provide their subscribers with the most modern and efficient telecommunications service, implemented in a predictable and orderly fashion.

A proposed rule was issued in the **Federal Register**, on December 11, 1998, at 63 FR 68406, requesting comments on these changes and proposed to codify revised RUS Form 545 in full text. The comment period closed February 9, 1999, and no comments were received.

Following the issuance of this proposed rule, a direct final rule was published in the **Federal Register** on February 10, 1999, at 64 FR 6501, establishing new policy on the manner in which RUS publishes the standard forms of contracts that borrowers are required to use when contracting for construction, procurement, engineering services, or architectural services financed through loans made or guaranteed by RUS. This form falls under this new policy. The full text will not be codified in this rule. Borrowers can determine the appropriate standard forms based on the issuance date of the form as identified by the most recent published list set forth in § 1755.30(c). A copy of RUS Form 545 can be obtained from the Rural Utilities Service, U.S. Department of Agriculture, Program Development and Regulatory Analysis, Stop 1522, Washington, DC, 20250-1522.

RUS has issued a series of 7 CFR chapter XVII parts, which serve to implement the policies, procedures, and requirements for administering its loan and loan guarantee programs and the loan documents and security instruments that provide for and secure RUS financing. The revision to 7 CFR part 1755 revises the issuance date of RUS Form 545, Central Office Equipment Contract (Not Including Installation). RUS telecommunications borrowers are required to use the RUS Form 545 contract where major central office facilities are being procured but not installed under this contract. The present RUS Form 545 has become outdated due to technological advancements and other reasons. Advanced technology and equipment concepts have introduced new issues. Contract terms and obligations have been modified and updated to more accurately reflect present business practices.

List of Subjects in 7 CFR Part 1755

Loan programs—communications, Reporting and recordkeeping requirements, Rural areas, Telephone.

For the reasons set out in the preamble, Chapter XVII of Title 7 of the Code of Federal Regulations is amended as follows:

PART 1755—TELECOMMUNICATIONS STANDARDS AND SPECIFICATIONS FOR MATERIALS, EQUIPMENT, AND CONSTRUCTION

1. The authority citation for part 1755 continues to read as follows:

Authority: 7 U.S.C. 901 *et seq.*, 1921 *et seq.*, 7941 *et seq.*

2. Section 1755.30(c)(41) is revised to read as follows:

§ 1755.30 List of telecommunications standard contract forms.

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(c) * * *

(41) RUS Form 545, issued November 4, 1999, Central Office Equipment Contract (Not Including Installation).

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Dated: September 27, 1999.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 99-25720 Filed 10-4-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-AGL-39]

Modification of Class D Airspace; Belleville, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class D airspace at Belleville, IL. This action amends the effective hours of the Class D surface area to coincide with the airport traffic control tower (ATCT) hours of operation for Scott AFB/MidAmerica Airport. The purpose of this action is to clarify when two-way radio communication with the ATCT is required.

EFFECTIVE DATE: 0901 UTC, December 30, 1999.

FOR FURTHER INFORMATION CONTACT: Annette Davis, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East

Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

SUPPLEMENTARY INFORMATION:

History

On Wednesday, July 7, 1999, the FAA proposed to amend 14 CFR part 71 to modify Class D airspace at Belleville, IL (64 FR 36630). The proposal was to amend the effective hours to coincide with the ATCT hours of operations for Scott AFB/MidAmerica airport. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class D airspace designations are published in paragraph 5000 of FAA Order 7400.9G dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 modifies Class D airspace at Belleville, IL, by amending the hours of operation of the Class D airspace for Scott AFB/MidAmerica Airport. The area will be depicted on appropriate aeronautical charts.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows: