

2. Amend § 6.21 by revising the definition of *Licensing Authority* to read as follows:

§ 6.21 Definitions.

* * * * *

Licensing Authority. Any officer or employee of the U.S. Department of Agriculture designated to act in this position by the Director of the Division charged with managing the Dairy Tariff-Rate Import Quota Licensing System, currently the Import Policies and Programs Division of the Foreign Agricultural Service.

* * * * *

3. Redesignate § 6.35 and 6.36 as § 6.36 and 6.37 respectively.

4. Add a new § 6.35 to read as follows:

§ 6.35 Correction of errors.

(a) If a person demonstrates, to the satisfaction of the Licensing Authority, that errors were made by officers or employees of the United States Government, the Licensing Authority will review and rectify the errors to the extent permitted under this subpart.

(b) To be considered, a person must provide sufficient documentation regarding the error to the Licensing Authority by letter, postmarked not later than August 31 of the calendar year following the calendar year in which the error was alleged to have been committed.

(c) If the error resulted in the loss of a historical license by a license holder, the Licensing Authority will transfer the amount of such license from Appendix 2 to Appendix 1 in order to provide for the issuance of such license in the calendar year following the calendar year for which the license was revoked. The cumulative annual transfers to Appendix 1 in accordance with this paragraph will be published in the **Federal Register**.

Signed at Washington, DC on November 29, 1999.

Timothy J. Galvin,

Administrator, Foreign Agricultural Service.
[FR Doc. 00-409 Filed 1-7-00; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 371

[Docket No. 97-025-1]

Organization, Functions, and Delegations of Authority

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document revises the statement of organization, functions, and delegations of authority of the Animal and Plant Health Inspection Service (APHIS) to reflect changes in the internal APHIS organization. APHIS units are already functioning as described in this rule. The new internal APHIS organization stimulates interdependence and cooperation throughout the agency, enhances the ability of the Administrator to manage the agency, and provides improved support to the field organization through better planning, clearer direction, timely action, and better use of resources.

EFFECTIVE DATE: December 23, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Ira Johnson, Jr., Position Classification Specialist, Human Resources Division, MRPBS, APHIS, Room 1724, 14th Street and Independence Avenue, SW, Washington, DC 20250; (202) 720-9407.

SUPPLEMENTARY INFORMATION:

Background

The statement of organization, functions, and delegations of authority of the Animal and Plant Health Inspection Service (APHIS) is being revised to reflect changes made in the internal APHIS organization. These changes create a headquarters organization based on function, rather than program discipline.

The statement of organization, functions, and delegations of authority was approved by APHIS and the United States Department of Agriculture (USDA) management after a comprehensive review of all APHIS activities.

The major changes in the statement of organization, functions, and delegations of authority are as follows:

1. Redefine the Roles of the Plant Protection and Quarantine (PPQ) Unit

PPQ has added responsibilities which include: Assisting in the development, adoption, and enforcement of sanitary and phytosanitary measures regulating the field release, interstate movement, and importation of genetically modified organisms that may contain plant pests; serving as a member of the North American Plant Protection Organization; and enforcing animal disease exclusion policies, procedures, and regulations at international ports of entry relative to all animal products and associated materials.

2. Redefine the Roles of the Veterinary Services (VS) Unit

VS has added the responsibility of planning, directing, and coordinating the activities for the Center for Veterinary Biologics and the administration of a veterinary biologics program.

3. Redesignate the Management and Budget (M&B) Unit as Marketing and Regulatory Programs Business Services (MRPBS) and Redefine Its Roles

This redesignation better reflects the actual functions of this unit. MRPBS has added the responsibility of directing and coordinating program activities related to investigations and enforcement of APHIS laws and regulations.

4. Redesignate the Animal Damage Control (ADC) Unit as the Wildlife Services (WS) Unit

This redesignation better reflects the actual functions of this unit.

5. Redesignate the Regulatory Enforcement and Animal Care (REAC) Unit as the Animal Care (AC) Unit and Redefine Its Roles

This redesignation better reflects the actual functions of this unit. AC is no longer responsible for directing the formal investigation of reported violations of laws and regulations applicable to APHIS activities. AC still has the responsibility of directing activities to ensure compliance with and enforcement of animal welfare and horse protection laws and the regulations promulgated under those laws.

6. Redefine the Roles of the Policy and Program Development (PPD) Unit

PPD has added responsibilities that include ensuring agency compliance with the National Environmental Policy Act, handling environmental documentation activities for the agency, and handling pesticide and animal drug registration responsibilities.

7. Reassign the Responsibilities of the Former Recruitment and Development (R&D) Unit

R&D's responsibilities have been reassigned to MRPBS, PPQ, and VS.

8. Reassign the Responsibilities of the Former Science and Technology (S&T) Unit

S&T's responsibilities have been reassigned to PPQ, VS, and WS.

9. Reassign the Responsibilities of the Former Biotechnology, Biologics, and Environmental Protection (BBEP) Unit

BBEP's responsibilities have been reassigned to PPD, PPQ, and VS.

10. Continuing Responsibilities of the Legislative and Public Affairs (LPA) Unit

LPA's responsibilities within the Agency remain the same.

11. Continuing Responsibilities of the International Services (IS) Unit

IS' responsibilities within the Agency remain the same.

We have also made a number of editorial changes.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. Also, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order 12866. Further, this action is not a rule as defined by 5 U.S.C. 601 *et seq.*, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Part 371

Authority delegations (Government agencies), Organization and functions (Government agencies).

1. Part 371 is revised to read as follows:

PART 371—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

- Sec.
- 371.1 General Statement.
 - 371.2 The Office of the Administrator.
 - 371.3 Plant Protection and Quarantine.
 - 371.4 Veterinary Services.
 - 371.5 Marketing and Regulatory Programs Business Services.
 - 371.6 Wildlife Services.
 - 371.7 Animal Care.
 - 371.8 International Services.
 - 371.9 Policy and Program Development.
 - 371.10 Legislative and Public Affairs.
 - 371.11 Delegations of authority.
 - 371.12 Concurrent authority and responsibility to the Administrator.
 - 371.13 Reservation of authority.
 - 371.14 Availability of information and records.

Authority: 5 U.S.C. 301.

§ 371.1 General statement.

(a) *The creation of APHIS.* The Animal and Plant Health Inspection Service (APHIS) was created by the Secretary of Agriculture on April 2, 1972 (37 FR 6327, March 28, 1972).

(b) *Central offices.* APHIS is headquartered in Washington, DC, and Riverdale, MD. The APHIS Management Team at these locations consists of the following:

Administrator
Associate Administrator
Deputy Administrator, Plant Protection and Quarantine (PPQ)
Deputy Administrator, Veterinary Services (VS)
Deputy Administrator, Marketing and Regulatory Programs Business Services (MRPBS)
Deputy Administrator, Wildlife Services (WS)
Deputy Administrator, Animal Care (AC)
Deputy Administrator, International Services (IS)
Director, Policy and Program Development (PPD)
Director, Legislative and Public Affairs (LPA)

(c) *Field organization.* AC, MRPBS, PPQ, VS, and WS all have field offices located throughout the United States. IS has field offices located throughout the world. A list of APHIS' field offices with addresses and telephone numbers is in the blue pages of local telephone books.

§ 371.2 The Office of the Administrator.

(a) *The Administrator.* (1) The Administrator of APHIS formulates, directs, and supervises the execution of APHIS policies, programs, and activities.

(2) The Administrator is authorized to take any action authorized by law and deemed necessary to carry out APHIS functions. Delegations of authority by the Administrator and provisions for redelegations of authority are stated in § 371.11.

(b) *The Associate Administrator.* The Associate Administrator of APHIS shares responsibility with the Administrator for general direction and supervision of APHIS programs and activities. The Associate Administrator may act for the Administrator.

§ 371.3 Plant protection and quarantine.

(a) *General statement.* Plant Protection and Quarantine (PPQ) protects and safeguards the Nation's plant resources through programs and activities to prevent the introduction and spread of plant pests and diseases.

(b) *Deputy Administrator of PPQ.* The Deputy Administrator of PPQ is responsible for:

- (1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.
- (2) Providing direction and coordination for PPQ programs and activities. The authorities for PPQ programs include:

(i) Section 102, Organic Act of September 21, 1944, as amended, and the Act of April 6, 1937, as amended (7 U.S.C. 147a, 148, and 148a-148e), relating to control and eradication of plant pests and diseases;

(ii) The Mexican Border Act, as amended (7 U.S.C. 149);

(iii) The Golden Nematode Act (7 U.S.C. 150 through 150g);

(iv) The Federal Plant Pest Act, as amended (7 U.S.C. 150aa through 150jj);

(v) The Plant Quarantine Act, as amended (7 U.S.C. 151 through 164a, and 167);

(vi) The Terminal Inspection Act, as amended (7 U.S.C. 166);

(vii) The Honeybee Act, as amended (7 U.S.C. 281 through 286);

(viii) The Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2801 through 2814);

(ix) The Endangered Species Act of 1973 (16 U.S.C. 1531-1544);

(x) Executive Order 11987;

(xi) The responsibilities of the United States under the International Plant Protection Convention;

(xii) Lacey Act Amendments of 1981, as amended (16 U.S.C. 3371 through 3378);

(xiii) Title III (and Title IV to the extent that it relates to activities under Title III) of the Federal Seed Act, as amended (7 U.S.C. 1581 through 1610);

(xiv) Authority to prescribe and collect fees under The Act of August 31, 1951, as amended (31 U.S.C. 9701), and sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136 and 136a).

(3) Developing of regulations (including quarantines) regarding noxious weeds and plant pests and diseases.

(4) Cooperating with and providing technical assistance to State and local governments, farmer's associations, and individuals with regard to plant pest control. Cooperating with and providing technical assistance to foreign governments with regard to plant pests and diseases.

(5) Assisting in the development of sanitary and phytosanitary measures.

(6) Regulating the field release into the environment, interstate movement, and importation of genetically modified organisms.

(7) Serving as a member of the North American Plant Protection Organization (NAPPO). NAPPO is composed of plant protection officials and industry cooperators from Canada, Mexico, and the United States.

(8) Administering plant and animal pest and disease exclusion policies, procedures, and regulations at

international ports of entry (land, sea, and air) relative to all plants and plant and animal products and associated materials (excluding live animals).

(9) Providing laboratory support, diagnostic services, methods development, and research activities in support of PPQ programs.

§ 371.4 Veterinary Services.

(a) *General statement.* Veterinary Services (VS) protects and safeguards the Nation's livestock and poultry through programs and activities to prevent the introduction and spread of pests and disease of livestock and poultry. VS also provides leadership and coordinates activities pertaining to veterinary biologics.

(b) *Deputy Administrator of VS.* The Deputy Administrator of VS is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.

(2) Providing direction and coordination for the activities of the Center for Veterinary Biologics.

(3) Providing direction and coordination for VS programs and activities.

The authorities for VS programs include:

(i) Section 306 of the Tariff Act of June 17, 1930, as amended (19 U.S.C. 1306);

(ii) Act of August 30, 1890, as amended (21 U.S.C. 102 through 105);

(iii) Act of May 29, 1884, as amended, Act of February 2, 1903, as amended, and Act of March 3, 1905, as amended, and supplemental legislation (21 U.S.C. 111 through 114a, 114a through 114a-1, and 115 through 130);

(iv) Act of February 28, 1947, as amended (21 U.S.C. 114b through 114c, and 114d-1);

(v) Act of June 16, 1948 (21 U.S.C. 114e through 114f);

(vi) Act of September 6, 1961 (21 U.S.C. 114g through 114h);

(vii) Act of July 2, 1962 (21 U.S.C. 134 through 134h);

(viii) Act of May 6, 1970 (21 U.S.C. 135 through 135b);

(ix) Sections 12 through 14 of the Federal Meat Inspection Act, as amended, and the portion of Section 18 of the Act that pertains to the issuance of certificates of condition of live animals intended and offered for export (21 U.S.C. 612 through 614, and 618);

(x) Improvement of poultry, poultry products, and hatcheries (7 U.S.C. 429);

(xi) 28 Hour Law, as amended (49 U.S.C. 80502);

(xii) Act of August 26, 1983, as amended (46 U.S.C. 3901 through 3902);

(xiii) Harmonized Tariff Schedule of the United States;

(xiv) Virus-Serum-Toxin Act (21 U.S.C. 151 through 159);

(xv) Sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended, with respect to voluntary inspection and certification of animal products; inspection, testing, treatment, and certification of animals; and a program to investigate and develop solutions to the problems resulting from the use of sulfonamides in swine (7 U.S.C. 1622 and 1624);

(xvi) Section 101(d) of the Organic Act of September 21, 1944 (7 U.S.C. 430);

(xvii) The Swine Health Protection Act (7 U.S.C. 3801 through 3813);

(xviii) Conducting diagnostic and related activities necessary to prevent, detect, control, or eradicate foot-and-mouth disease and other animal diseases (21 U.S.C. 113a);

(xix) Authority to prescribe and collect fees under the Act of August 31, 1951, as amended (31 U.S.C. 9701), and sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136 and 136a); and

(xx) Transportation of horses to slaughter under sections 901-905 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note).

(4) Directing and coordinating animal health information systems and maintaining a Federal-State program operation capable of responding to exotic livestock and poultry disease outbreaks.

(5) Cooperating with and providing technical assistance to State and local governments, farmer's associations and similar organizations, and individuals with regard to VS programs and activities. Cooperating with and providing technical assistance to foreign governments with regard to pests and diseases of livestock and poultry.

(6) Providing laboratory support, diagnostic services, methods development, and research activities in support of VS programs.

§ 371.5 Marketing and Regulatory Programs Business Services.

(a) *General statement.* Marketing and Regulatory Programs Business Services (MRPBS) plans and provides for the agency's human, financial, and physical resources.

(b) *Deputy Administrator of MRPBS.* The Deputy Administrator of MRPBS is responsible for:

(1) Assisting the Under Secretary for Marketing and Regulatory Programs, and the Administrators of APHIS, the Agricultural Marketing Service (AMS),

and the Grain Inspection and Packers and Stockyards Administration (GIPSA), and other APHIS, AMS, and GIPSA officials in the planning and formulation of MRP policies, programs, and activities. Providing human resource, certain financial, and management services for AMS, APHIS, and GIPSA.

(2) Planning, formulating and coordinating policies, and directing management support functions for APHIS and designated functions for other MRP agencies, including finance, personnel, and management services.

(3) Conducting administrative reviews and inspections in APHIS to assess the implementation of policies and procedures and to assess the accomplishments of program objectives.

(4) Evaluating and issuing administrative directives.

(5) Serving as APHIS' liaison official with the General Accounting Office and the Office of the Inspector General.

(6) Preparing cooperative agreements, memoranda of understanding, agreements between APHIS and other agencies, and agreements that require the signature of more than one Deputy Administrator or Director.

(7) Directing and coordinating investigations related to APHIS program laws and regulations and coordinating enforcement of program laws and regulations with the Office of the General Counsel.

(8) Supporting and enforcing APHIS program activities, which include:

(i) Title 7, Code of Federal Regulations, §§ 371.3(b)(2)(i) through (xiv);

(ii) Title 7, Code of Federal Regulations, §§ 371.4(b)(3)(i) through (xx);

(iii) The Animal Welfare Act, as amended (7 U.S.C. 2131 through 2159); and

(iv) The Virus-Serum Toxin Act, as amended (21 U.S.C. 159).

(9) Formulating and recommending employee development and training policies.

(10) Developing, delivering, and administering organizational development, training, recruitment, and employee development programs for MRP agencies.

(11) Providing computer support and related services for APHIS.

§ 371.6 Wildlife Services.

(a) *General statement.* Wildlife Services (WS) manages problems caused by wildlife.

(b) *Deputy Administrator of WS.* The Deputy Administrator of WS is responsible for:

(1) Participating with the Administrator of APHIS and other

officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.

(2) Providing direction and coordination for programs authorized by the Act of March 2, 1931 (7 U.S.C. 426 and 426b, as amended).

(3) Assisting Federal, State, local, and foreign agencies and individuals with regard to wildlife damage and control.

(4) Conducting research to develop wildlife damage management methods.

§ 371.7 Animal Care.

(a) *General statement.* Animal Care (AC) establishes acceptable standards of humane care and treatment for regulated animals and monitors and achieves compliance through inspections, enforcement, education, and cooperative efforts under the Animal Welfare and Horse Protection Acts.

(b) *Deputy Administrator of AC.* The Deputy Administrator of AC is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, and activities of APHIS.

(2) Directing activities to ensure compliance with and enforcement of animal welfare and horse protection laws and regulations. These laws are:

(i) The Animal Welfare Act, as amended (7 U.S.C. 2131 through 2159); and

(ii) The Horse Protection Act (15 U.S.C. 1821 through 1831).

(3) Providing recommendations for policy and program changes and promulgating requirements, procedures, and guidelines for the conduct of field activities relating to AC programs.

§ 371.8 International Services.

(a) *General statement.* International Services (IS) protects U.S. agriculture and enhances agricultural trade with foreign countries.

(b) *Deputy Administrator of IS.* The Deputy Administrator of IS is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of international policies, programs, and activities of APHIS.

(2) Maintaining and administering the foreign service personnel system for employees of APHIS in accordance with section 202(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3922), E.O. 12363, dated May 21, 1982, and the provisions of § 2.51(a)(1) of this title.

(3) Developing and maintaining systems for monitoring and reporting the presence and movement of plant and animal diseases and pests in foreign countries.

(4) Developing and maintaining cooperative relationships and programs with other Federal agencies, foreign governments, industry, and international organizations, such as the Food and Agriculture Organization of the United Nations, with regard to APHIS activities in foreign countries.

(5) Developing and maintaining systems for observing the effects of plant and animal diseases in foreign countries and evaluating their effect on the agriculture industry.

(6) Developing and directing programs to enhance the trade in U.S. plants, animals, and their products in compliance with established international sanitary and phytosanitary standards.

(7) Providing recommendations for policy and program changes, and promulgating requirements, procedures, and guidelines for the conduct of field activities relating to IS programs.

§ 371.9 Policy and Program Development.

(a) *General statement.* Policy and Program Development (PPD) provides analytical support for agency decisions and plans.

(b) *Director of PPD.* The Director of PPD is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of APHIS policies, programs, and activities.

(2) Providing planning and evaluations; regulations development; and policy, risk, and economic analysis for APHIS programs.

(3) Analyzing the environmental effects of APHIS programs to ensure their compliance with environmental laws and regulations and providing support for pesticide registration and drug approval.

(4) Coordinating registration of chemicals and other substances used in APHIS control and eradication programs.

§ 371.10 Legislative and Public Affairs.

(a) *General statement.* Legislative and Public Affairs (LPA) is the communications arm of APHIS.

(b) *Director of LPA.* The Director of LPA is responsible for:

(1) Advising and assisting the Administrator and other officials on matters relating to agency legislative and media affairs.

(2) Preparing legislative proposals for APHIS programs and responsibilities. Assisting in compiling support material for agency witnesses for congressional hearings. Preparing legislative reports.

(3) Establishing and maintaining liaison with Members of Congress,

various congressional committees and subcommittees, and their staffs on matters pertaining to APHIS.

(4) Planning and conducting an information program to promote interest in and increase the public knowledge of APHIS programs and activities.

(5) Drafting and administering policy guidelines on press contacts, photography, audiovisual activities, graphic design, radio-TV, and policy/editorial/graphics clearances for publications. Planning and conducting a program to explain APHIS policies in written form to Members of Congress, State and industry leaders, officials of foreign governments, and private citizens.

(6) Preparing replies to written inquiries and establishing and maintaining a system for the control of written inquiries referred by the Office of the Secretary or sent directly to the agency.

(7) Assisting in the preparation of position papers regarding APHIS programs.

(8) Assisting in the preparation of directives, procedural manuals, articles for publication, and agency correspondence. Coordinating APHIS activities within the scope of the Freedom of Information Act and the Privacy Act.

§ 371.11 Delegations of authority.

(a) *Associate Administrator.* The Associate Administrator is delegated the authority to perform the duties and to exercise the functions and powers that are now, or that may become, vested in the Administrator, including the power of redelegation except where prohibited, and including authority reserved to the Administrator in § 371.14 of this part. The Associate Administrator is also authorized to act for the Administrator in the absence of the Administrator.

(b) *Deputy Administrators and Directors.* The Deputy Administrators of Plant Protection and Quarantine (PPQ), Veterinary Services (VS), Wildlife Services (WS), Marketing and Regulatory Programs Business Services (MRPBS), Animal Care (AC), and International Services (IS); the Directors of Policy and Program Development (PPD) and Legislative and Public Affairs (LPA); and the officers they designate to act for them, with prior specific approval of the Administrator, are delegated the authority, severally, to perform duties and to exercise the functions and powers that are now, or that may become vested in the Administrator (including the power of redelegation, except where prohibited) except authority that is reserved to the Administrator. Each Deputy

Administrator or Director shall be responsible for the programs and activities in APHIS assigned to that Deputy Administrator or Director.

§ 371.12 Concurrent authority and responsibility to the Administrator.

(a) *Delegations that preclude the Administrator or each Deputy Administrator or Director from exercising powers or functions.* No delegation or authorization in this part shall preclude the Administrator or each Deputy Administrator or Director from exercising any of the powers or functions or from performing any of the duties conferred upon each, respectively. Any delegation or authorization is subject, at all times, to withdrawal or amendment by the Administrator, and in their respective fields, by each Deputy Administrator or Director. The officers to whom authority is delegated in this part shall:

(1) Maintain close working relationships with the officers to whom they report.

(2) Keep them advised with respect to major problems and developments.

(3) Discuss with them proposed actions involving major policy questions or other important considerations or questions, including matters involving relationships with other Federal agencies, other agencies of the Department, other divisions, staffs, or offices of the agency, or other governmental, private organizations, or groups.

(b) *Prior authorizations and delegations.* All prior delegations and redelegations of authority relating to any function, program, or activity covered by the statement of Organization, Functions, and Delegations of Authority, shall remain in effect except as they are inconsistent with this part or are amended or revoked. Nothing in this part shall affect the validity of any action taken previously under prior delegations or redelegations of authority or assignments of functions.

§ 371.13 Reservation of authority.

The following are reserved to the Administrator, or to the individual designated to act for the Administrator:

(a) The initiation, change, or discontinuance of major program activities.

(b) The issuance of regulations pursuant to law.

(c) The transfer of functions between Deputy Administrators and Directors.

(d) The transfer of funds between Deputy Administrators and Directors.

(e) The transfer of funds between work projects within each Deputy Administrator's or Director's area,

except those not exceeding 10 percent of base funds or \$50,000 in either work project, whichever is less.

(f) The approval of any change in the formal organization, including a section, its equivalent, or higher level.

(g) The making of recommendations to the Department concerning establishment, consolidation, change in location, or abolishment of any regional, State, area, and other field headquarters, and any region or other program area that involves two or more States, or that crosses State lines.

(h) Authority to establish, consolidate, change a location, abolish any field office, or change program area boundaries not included in paragraph (g) of this section.

(i) Approval of all appointments, promotions, and reassignments at the GS-14 level and above.

(j) Authorization for foreign travel and for attendance at foreign and international meetings, including those held in the United States.

(k) Approval of all appointments, promotions, and reassignments of employees to foreign countries.

(l) Approval of program budgets.

(m) Authority to determine the circumstances under which commuted traveltime allowances may be paid to employees performing inspections and necessary auxiliary services after normal working hours or on holidays, when these services come within the scope of the Act of August 28, 1950 (7 U.S.C. 2260).

§ 371.14 Availability of information and records.

Any person desiring information or to comment on the programs and functions of the agency should address correspondence to the appropriate Deputy Administrator or Director, APHIS, U.S. Department of Agriculture, Washington, DC 20250. The availability of information and records of the agency is governed by the rules and regulations in part 370 of this chapter.

Done in Washington, DC, this 23rd day of December 1999.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 00-435 Filed 1-7-00; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 997, 998, and 999

[Docket Nos. FV99-997-2 FIR, FV99-998-1 FIR, and FV99-999-1 FIR]

Domestically Produced and Imported Peanuts; Change in the Maximum Percentage of Foreign Material Allowed Under Quality Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is adopting, as a final rule, without change, the provisions of an interim final rule changing the outgoing quality control requirements currently prescribed under Marketing Agreement No. 146 (Agreement). The Agreement regulates the handling of peanuts grown in 16 States and is administered locally by the Peanut Administrative Committee (Committee). This rule continues to relax the allowance for foreign material to .20 percent from .10 percent in the three "with splits" edible grade categories to make them consistent with the other seven edible grade categories, as unanimously recommended by the Committee. The same change continues to apply to peanuts handled by handlers who have not signed the Agreement, and to imported peanuts.

EFFECTIVE DATE: February 9, 2000.

FOR FURTHER INFORMATION CONTACT: George Kelhart, Technical Advisor, of the Marketing Order Administration Branch, FVP, AMS, USDA, Room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone (202) 720-2491, Fax: (202) 720-5698; or Jim Wendland, Marketing Specialist, DCMFO, MOAB, FVP, AMS, USDA, 4700 River Road, Unit 155, Suite 5D03, Riverdale, MD 20737; phone (301) 734-5246, Fax (301) 734-5275 or E-mail: james.wendland@usda.gov or george.kelhart@usda.gov.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, at the first address above, or E-mail: Jay.Guerber@usda.gov.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 146 (Agreement) (7 CFR part 998), regulating the handling of peanuts grown in 16 States. The Agreement is effective under the Agricultural Marketing Agreement Act of 1937, as amended (Act) (7 U.S.C. 601-674). Also, subparagraph (f)(2) of section 108B of the Agricultural Act of 1949 (7 U.S.C.