assessment for each fiscal period apply to all assessable citrus handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) an interim final rule was published on this action and provided for a 30-day comment period, no comments were received.

List of Subjects in 7 CFR Part 905

Grapefruit, Marketing agreements, Oranges, Reporting and recordkeeping requirements, Tangelos, Tangerines.

For the reasons set forth in the preamble, 7 CFR part 905 is amended as follows:

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Accordingly, the interim final rule amending 7 CFR part 905 which was published at 61 FR 38354 on July 24, 1996, is adopted as a final rule without change.

Dated: September 23, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–24846 Filed 9–26–96; 8:45 am]

BILLING CODE 3410–02–P

7 CFR Part 1220

[Docket Number LS–96–005]

Technical Amendments to the Soybean Promotion and Research Order and Rules and Regulations

AGENCY: Agricultural Marketing Service; USDA.

ACTION: Final rule.

SUMMARY: This document amends sections contained in the Soybean Promotion and Research Order (Order) and rules and regulations. This regulatory action is being taken as part of the National performance Review Program to eliminate unnecessary regulations and improve those that remain in force.

EFFECTIVE DATE: September 27, 1996.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief; Marketing Programs Branch, Room 2606–S; Livestock and Seed Division, AMS, USDA; P.O. Box 96456; Washington, DC 20090–6456; telephone 202/720–1115.

SUPPLEMENTARY INFORMATION: This rule amends the Order and Rules and Regulations (7 CFR Part 1220). The Order and regulations are effective under the Soybean Promotion, Research, and Consumer Information Act (Act).

This regulatory action is being taken as part of the National Performance Review program to eliminate unnecessary regulations and improve those that remain in force.

Executive Orders 12866 and 12988 and the Regulatory Flexibility Act

This 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).

This rule was reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have a retroactive effect. This rule would 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 § 1971 of the Act, a person subject to the Order may file a petition with the Secretary 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 an exemption from the Order. The petitioner is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, has jurisdiction to review the Secretary's ruling on the petition, if a complaint for this purpose is filed within 20 days after the date of the entry of the ruling.

Effect on Small Entities

The Agricultural Marketing Service has determined that this rule will not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), because the changes are primarily to remove obsolete and duplicative material. As such, these changes will not impact on persons subject to the program. There are an estimated 381,000 soybean producers who pay assessments and an estimated 10,000 first purchasers who collect assessments.

Paperwork Reduction

Information collection requirements and recordkeeping provisions contained in 7 CFR Part 1220 have been previously approved by OMB and assigned OMB Control No. 0581–0093 under the Paperwork Reduction Act.

No additional recordkeeping requirements are imposed as a result of this rule.

Background and Proposed Changes

A review of the Order and regulations was conducted in response to the President's Regulatory Review Initiative of March 4, 1995. As a result, a number of paragraphs were identified that could be removed without adverse impact to the program. The amendments contained in this rule eliminates sections which are duplicative or obsolete or will avoid conflicting information.

The amendments eliminate certain sections dealing with procedures for refunds and for establishing escrow funds (§§ 1220.228(b)(5)(ii) through (b)(6)(iii), (§ 1220.330 through § 1220.331); and nomination procedures for the initial United Soybean Board (§ 1220.500 through § 1220.550).

Sections which are obsolete involve procedures for conducting a producer poll (§ 1220.701 through § 1220.731); two sections citing the Paperwork Reduction Act are duplicative (§ 1220.332 and § 1220.555), one Paperwork Reduction Act citation remains at § 1220.257 and is amended.

The sections on refund provisions became obsolete after a February 1994 referendum in which producers voted in favor of mandatory assessments based on 10 percent escrowed assessments paid at the end of each State's fiscal year.

In July 1995, by means of a poll, producers were provided the opportunity to request a refund referendum to determine whether refunds (at 10 percent of escrowed funds) should continue. The number of producers required to cause a referendum to be conducted did not sign the poll. Therefore, a referendum will not be held and refunds were eliminated as of October 1, 1995. Procedures for the conduct of the producer poll became obsolete after the producer poll was conducted in July 1995.

After consideration of all relevant material with regard to the termination of the provisions as hereinafter set forth, it is found that these provisions no longer 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 or to engage in further public procedure prior to implementing this action because the sections being removed are either

duplicative or obsolete and removal will not alter any aspect of the program.

List of Subjects in 7 CFR Part 1220

Administrative practice and procedure, Advertising, Agricultural research, Soybeans and soybean products, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Part 1220 is amended as follows:

PART 1220—SOYBEAN PROMOTION, RESEARCH, AND CONSUMER INFORMATION

1. The authority citation for part 1220 continues to read as follows:

Authority: 7 U.S.C. 6301–6311.

§§ 1220. 228 [Amended]

Center Heading ''Refund of Assessments'' §§ 1220.330—120.332, §§ 1220.500—1220.555 (Subpart D) and §§ 1220.701—1220.731 (Subpart F) [Removed and reserved]

2. In part 1220, §§ 1220.228 (b)(5)(ii) through (b)(6)(iii), 1220.330 through 1220.332 and the undesignated centerheading, Subpart D consisting of §§ 1220.500 through 555, and Subpart F Consisting of §§ 1220.701 through 1220.731 are removed and reserved.

§ 1220.257 [Amended]

3. In § 1220.257, the words ''of 1980'' are removed.

Dated: September 23, 1996.

Michael V. Dunn,

Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 96–24845 Filed 9–26–96; 8:45 am]

BILLING CODE 3410–02–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 701 and 705

Community Development Revolving Loan Program for Credit Unions

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final amendments.

SUMMARY: The purpose of the Community Development Revolving Loan Program for Credit Unions is to make reduced rate loans and provide technical assistance to both Federal and State-chartered credit unions serving low-income communities. The NCUA Board is issuing final amendments to this regulation to: eliminate the limits on technical assistance that may be provided per year to participating credit unions; clarify that student credit unions may not participate in the Program; clarify that credit unions may receive up to $300,000 in loans in the aggregate at any one time; and require additional documentation from nonfederally insured credit unions that may wish to participate in the Program. The NCUA Board is also issuing a technical amendment to another regulatory provision to conform it to the revised Program regulations.

EFFECTIVE DATE: October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Joyce Jackson, Director, Office of Community Development Credit Unions, 1775 Duke Street, Alexandria, Virginia 22314–3428 or telephone (703) 518–6610 or Michael J. McKenna, Staff Attorney, Office of General Counsel, at the above address or telephone (703) 518–6540.

SUPPLEMENTARY INFORMATION: The purpose of the Community Development Revolving Loan Program (''Program'') is to make reduced rate loans and provide technical assistance to Federal and State-chartered credit unions serving low-income communities so that they may provide needed financial services and help to stimulate the economy in the community served. Although the Program has functioned well, the Board proposed four amendments to improve and clarify certain aspects of the Program. The NCUA Board issued proposed amendments to the Program on January 25, 1996. 61 FR 4239 (February 5, 1996). Four comment letters were received. Three commenters were state credit union leagues and one commenter was a national trade association. All of the commenters supported the proposed amendments.

Section 705.3 Definitions

This section, among other things, defines the term low-income members. In documenting its low-income membership, a credit union that serves a geographic area where a majority of residents fall at or below the annual income standard is presumed to be serving predominantly low-income members. In applying the low-income standard, the Regional Director must use specifically defined differentials for geographical areas with a higher cost of living. These differentials were originally obtained from a list maintained by the Bureau of Labor Statistics, as updated by the Employment and Training Administration. In order to recognize geographic economic differences, eleven cities that were above the national average for the lower level standard of living numbers were provided differentials to be applied by the Regional Director. NCUA requested comment on updating the differentials. The commenters did not suggest any changes. The Board does not believe there is any compelling reason to change the differentials at this time. However, to clarify the term ''geographic area'' and to provide for consistent application of agency policy, the Board believes that the geographic area definition should be based on either the Consolidated Metropolitan Statistical Area (CSMA) or Metropolitan Statistical Area (MSA) classification, as appropriate, that are used by the Office of Management and Budget (OMB) or defined by the Census Bureau.

Some in the credit union community have questioned whether student credit unions are eligible to participate in the Program. The preamble to the final 1993 amendments stated that although ''student federal credit unions are 'low-income credit unions' for purposes of receiving nonmember deposits, they do not qualify for participation in the Program because they are not specifically involved in the stimulation of economic development activities and community revitalization efforts.'' 58 FR 21642, 21645 (April 23, 1993). The Board proposed to amend Section 705.3(b) to clarify that student credit unions may not participate in the Program. All four commenters approved of this proposal. Accordingly, the Board is adopting this clarification in the final rule.

Section 705.5 Application for Participation

Because NCUA does not regulate nonfederally insured state chartered credit unions, the Board proposed that a nonfederally insured credit union provide in its application for Program participation a copy of its most recent outside audit report and proof of deposit and surety bond insurance which states the maximum insurance levels permitted by the policies, so that NCUA may properly consider the application. This proposal would simply require documentation that is comparable to the information accessible to NCUA for federally insured credit unions. All four commenters supported this proposal. The Board is also changing the term ''delinquent loan list'' to ''schedule of delinquent loans'' so that the information submitted will be comparable to information NCUA obtains from federally insured credit unions. The Board is also streamlining this section so that the requirements found in proposed Section 705.5(b) (iii) through (v) are simply stated in Section