

**DEPARTMENT OF AGRICULTURE****Office of the Secretary****2 CFR Subtitle B, Ch. IV****5 CFR Ch. LXXIII****7 CFR Subtitle A; Subtitle B, Chs. I-XI, XIV-XVIII, XX, XXV-XXXVIII, XLII****9 CFR Chs. I-III****36 CFR Ch. II****48 CFR Ch. 4****Semiannual Regulatory Agenda, Fall 2015**

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This agenda provides summary descriptions of significant and not significant regulations being developed in agencies of the U.S. Department of Agriculture (USDA) in conformance with Executive Orders 12866 "Regulatory Planning and Review," and 13563 "Improving Regulation and Regulatory Review." The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Public Law 96-354.

This agenda also identifies regulatory actions that are being reviewed in compliance with section 610(c) of the Regulatory Flexibility Act. We invite public comment on those actions as well as any regulation consistent with Executive Order 13563.

USDA has attempted to list all regulations and regulatory reviews pending at the time of

publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

USDA's complete regulatory agenda is available online at [www.reginfo.gov](http://www.reginfo.gov). Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), USDA's printed agenda entries include only:

- (1) Rules that are likely to have a significant economic impact on a substantial number of small entities; and
- (2) Rules identified for periodic review under section 610 of the Regulatory Flexibility Act.

For this edition of the USDA regulatory agenda, the most important significant regulatory actions and a Statement of Regulatory Priorities are included in the Regulatory Plan, which appears in both the online regulatory agenda and in part II of the **Federal Register** that includes the abbreviated regulatory agenda.

**FOR FURTHER INFORMATION CONTACT:** For further information on any specific entry shown in this agenda, please contact the person listed for that action. For general comments or inquiries about the agenda, please contact Michael Poe, Office of Budget and Program Analysis, U.S. Department of Agriculture, Washington, DC 20250, (202) 720-3257.

**Dated:** September 22, 2015.

**NAME: Michael Poe,**  
*Chief, Legislative and Regulatory Staff.*

## The 155 Regulatory Agendas

**Office of the Secretary - Final Rule**

Title	Regulation Identifier Number
Implementation of Executive Order 13559--Partnerships With Faith-Based and Other Neighborhood Organizations	<a href="#">0503-AA55</a>

**Office of the Secretary - Completed Action**

Title	Regulation Identifier Number
Revisions of Delegations of Authority	<a href="#">0503-AA58</a>

**Office of Chief Financial Officer - Final Rule**

Title	Regulation Identifier Number
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards--USDA Implementation	<a href="#">0505-AA15</a>

**Agricultural Research Service - Proposed Rule**

Title	Regulation Identifier Number
Changes to Fees and Payment Methods.	<a href="#">0518-AA05</a>

**Cooperative State Research, Education, and Extension Service - Final Rule**

Title	Regulation Identifier Number
Omnibus Consolidation of Rules: Integrated 406, SCRI, BFRDP, Sun Grant, OREI, Merit Review and Matching Requirements	<a href="#">0524-AA66</a>

**Cooperative State Research, Education, and Extension Service - Completed Action**

Title	Regulation Identifier Number
Food Insecurity Nutrition and Incentive (FINI) Grants Program	<a href="#">0524-AA65</a>

**Foreign Agricultural Service - Final Rule**

Title	Regulation Identifier Number
Facility Guarantee Loan Program (FGP)	<a href="#">0551-AA73</a>
General Administrative Policy Agreements to Conduct International Agricultural Research, Extension, and Teaching Activities	<a href="#">0551-AA83</a>
General Administrative Policy for Joint Venture Agreements	<a href="#">0551-AA84</a>
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Cost Reimbursable Agreements and Subagreements	<a href="#">0551-AA85</a>
USDA Local and Regional Food Aid Procurement Program	<a href="#">0551-AA87</a>
McGovern-Dole International Food for Education and Child Nutrition Program	<a href="#">0551-AA88</a>
Food for Progress Program	<a href="#">0551-AA89</a>

**Foreign Agricultural Service - Completed Action**

Title	Regulation Identifier Number
Dairy Import Licensing Program	<a href="#">0551-AA82</a>

**Farm Service Agency - Final Rule**

Title	Regulation Identifier Number
Environmental Compliance and Related Concerns	<a href="#">0560-AH02</a>
Payment Limitation and Payment Eligibility--Actively Engaged in Farming	<a href="#">0560-AI31</a>
Farm Loan Programs, Highly Fractionated Indian Lands (HFIL) Loan Program	<a href="#">0560-AI32</a>

**Farm Service Agency - Long-term Action**

Title	Regulation Identifier Number
Conservation Compliance	<a href="#">0560-AI26</a>
Conservation Reserve Program (CRP)	<a href="#">0560-AI30</a>

**Farm Service Agency - Completed Action**

Title	Regulation Identifier
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Agriculture Priorities and Allocations Systems	Number <a href="#">0560-AH68</a>
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**Federal Crop Insurance Corporation - Proposed Rule**

Title	Regulation Identifier Number
Common Crop Insurance Regulations; Texas Citrus Fruit Crop Insurance Provisions	<a href="#">0563-AC48</a>

**Federal Crop Insurance Corporation - Final Rule**

Title	Regulation Identifier Number
General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; and the Common Crop Insurance Regulations, Basic Provisions	<a href="#">0563-AC43</a>
General Administrative Regulations; Subpart X--Interpretations of Statutory Provisions, Policy Provisions, and Procedures	<a href="#">0563-AC45</a>
General Administrative Regulation-Subpart V--Submission of Policies, Provisions of Policies and Rates of Premium	<a href="#">0563-AC46</a>
Common Crop Insurance Regulations; Cotton Crop Insurance Provisions and Extra Long Staple Cotton Crop Insurance Provisions	<a href="#">0563-AC47</a>

**Federal Crop Insurance Corporation - Long-term Action**

Title	Regulation Identifier Number
Area Risk Protection Insurance (ARPI) Basic Provisions and ARPI Forage Crop Insurance Provisions	<a href="#">0563-AC49</a>

**Rural Business-Cooperative Service - Final Rule**

Title	Regulation Identifier Number
Business and Industry (B&I) Guaranteed Loan Program	<a href="#">0570-AA85</a>
Program Measures and Metrics	<a href="#">0570-AA95</a>

**Rural Utilities Service - Proposed Rule**

Title	Regulation Identifier Number
Telecommunications Equipment Contract	<a href="#">0572-AC29</a>
Policy on Audits of RUS Borrowers	<a href="#">0572-AC33</a>

**Rural Utilities Service - Final Rule**

Title	Regulation Identifier Number
Rural Broadband Access Loans and Loan Guarantees	<a href="#">0572-AC34</a>

**Rural Utilities Service - Completed Action**

Title	Regulation Identifier Number
Water Systems for Rural and Native Villages in Alaska	<a href="#">0572-AC28</a>

**Rural Housing Service - Proposed Rule**

Title	Regulation Identifier Number
Servicing Community Programs Loans and Grants	<a href="#">0575-AC87</a>
Community Facilities Direct Loans and Grants--Consolidate Three Regulations	<a href="#">0575-AC91</a>
Amendment To Liquidation Value Appraisals	<a href="#">0575-AD04</a>

**Rural Housing Service - Final Rule**

Title	Regulation Identifier Number
Multi-Family Housing (MFH) Reinvention	<a href="#">0575-AC13</a>
Environmental Policies and Procedures	<a href="#">0575-AC56</a>
Civil Monetary Penalties	<a href="#">0575-AC93</a>
Rural Development Voucher Program	<a href="#">0575-AC96</a>
Multi-Family Housing Financial Reporting	<a href="#">0575-AC98</a>
Revision of Indemnification, Refinance and Adding a Section Defining "Qualified Mortgage"	<a href="#">0575-AD00</a>
Community Facilities Technical Assistance and Training Grant	<a href="#">0575-AD02</a>

**Rural Housing Service - Long-term Action**

Title	Regulation Identifier Number
National Flood Insurance Regulations	<a href="#">0575-AC07</a>

**Rural Housing Service - Completed Action**

Regulation
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Title	Identifier Number
Reserve Account Dual Signature Requirement	<a href="#">0575-AC99</a>

**Natural Resources Conservation Service - Final Rule**

Title	Regulation Identifier Number
Agricultural Conservation Easement Program	<a href="#">0578-AA61</a>
Environmental Quality Incentives Program (EQIP)	<a href="#">0578-AA62</a>
Conservation Stewardship Program	<a href="#">0578-AA63</a>

**Natural Resources Conservation Service - Completed Action**

Title	Regulation Identifier Number
NRCS Procedures for Granting Equitable Relief	<a href="#">0578-AA67</a>

**Animal and Plant Health Inspection Service - PreRule**

Title	Regulation Identifier Number
Importation, Interstate Movement, and Release Into the Environment of Certain Genetically Engineered Organisms	<a href="#">0579-AE15</a>

**Animal and Plant Health Inspection Service - Proposed Rule**

Title	Regulation Identifier Number
Animal Welfare: Marine Mammals; Nonconsensus Language and Interactive Programs	<a href="#">0579-AB24</a>
National Environmental Policy Act Implementing Procedures	<a href="#">0579-AC60</a>
Scrapie in Sheep and Goats	<a href="#">0579-AC92</a>
Plant Pest Regulations; Update of General Provisions	<a href="#">0579-AC98</a>
Bovine Spongiform Encephalopathy and Scrapie; Importation of Small Ruminants and Their Germplasm, Products, and Byproducts	<a href="#">0579-AD10</a>
Brucellosis and Bovine Tuberculosis; Update of General Provisions	<a href="#">0579-AD65</a>
Animal Welfare; Establishing De Minimis Exemptions From Licensing	<a href="#">0579-AD99</a>

**Animal and Plant Health Inspection Service - Final Rule**

Title	Regulation Identifier Number
Importation of Wood Packaging Material From Canada	<a href="#">0579-AD28</a>
Treatment of Firewood and Spruce Logs Imported From Canada	<a href="#">0579-AD60</a>
Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables	<a href="#">0579-AD71</a>
Conditions for Payment of Highly Pathogenic Avian Influenza Indemnity Claims	<a href="#">0579-AE14</a>

**Animal and Plant Health Inspection Service - Completed Action**

Title	Regulation Identifier Number
Introduction of Organisms and Products Altered or Produced Through Genetic Engineering	<a href="#">0579-AC31</a>
Importation of Beef From a Region in Brazil	<a href="#">0579-AD41</a>
Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products	<a href="#">0579-AD64</a>
Viruses, Serums, Toxins, and Analogous Products; Exemptions From Preparation Pursuant to an Unsuspended and Unrevoked License	<a href="#">0579-AD66</a>
Importation of Papayas From Peru	<a href="#">0579-AD68</a>
User Fees for Agricultural Quarantine and Inspection Services	<a href="#">0579-AD77</a>
Importation of Apples From China	<a href="#">0579-AD89</a>
Cattle Fever Tick; Importation Requirements for Ruminants From Mexico	<a href="#">0579-AD91</a>
Importation of Beef From a Region in Argentina	<a href="#">0579-AD92</a>

**Agricultural Marketing Service - Proposed Rule**

Title	Regulation Identifier Number
National Organic Program, Organic Pet Food Standards	<a href="#">0581-AD20</a>
National Organic Program, Organic Apiculture Practice Standard, NOP-12-0063	<a href="#">0581-AD31</a>
National Organic Program--Organic Aquaculture Standards	<a href="#">0581-AD34</a>

**Agricultural Marketing Service - Final Rule**

Title	Regulation Identifier Number
National Organic Program, Origin of Livestock, NOP-11-0009	<a href="#">0581-AD08</a>
Exemption of Producers and Handlers of Organic Products From Assessment Under a Commodity Promotion Law	<a href="#">0581-AD37</a>
AMS Competitive and Non-Competitive Federal Assistance Programs--General Award Administrative Procedures	<a href="#">0581-AD38</a>
National Organic Program--Sunset 2015 Amendments to the National List	<a href="#">0581-AD39</a>

**Food Safety and Inspection Service - Proposed Rule**

Title	Regulation Identifier Number
Egg Products Inspection Regulations	<a href="#">0583-AC58</a>
Product Labeling: Use of the Voluntary Claim "Natural" on the Labeling of Meat and Poultry Products	<a href="#">0583-AD30</a>
Addition of Namibia to the List of Countries Eligible to Export Meat Products to the United States	<a href="#">0583-AD51</a>
Revision of the Nutrition Facts Panels for Meat and Poultry Products and Updating Certain Reference Amounts Customarily Consumed	<a href="#">0583-AD56</a>
Eligibility of Honduras to Export Poultry Products to the United States	<a href="#">0583-AD58</a>
Elimination of Trichina Control Regulations and Consolidation of Thermally Processed, Commercially Sterile Regulations	<a href="#">0583-AD59</a>

**Food Safety and Inspection Service - Final Rule**

Title	Regulation Identifier Number
Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish	<a href="#">0583-AD36</a>
Electronic Export Application and Certification Charge; Flexibility in the Requirements for Export Inspection Marks, Devices, and Certificates; Egg Products Export Certification	<a href="#">0583-AD41</a>
Records to be Kept by Official Establishments and Retail Stores That Grind Raw Beef Products	<a href="#">0583-AD46</a>
Requirements for the Disposition of Non-Ambulatory Disabled Veal Calves	<a href="#">0583-AD54</a>
Classes of Poultry	<a href="#">0583-AD60</a>

**Food Safety and Inspection Service - Completed Action**

Title	Regulation Identifier Number
Descriptive Designation for Needle- or Blade-Tenderized (Mechanically Tenderized) Beef Products	<a href="#">0583-AD45</a>
Affirmation of Interim Final Rule With Amendments: Control of Listeria Monocytogenes in Ready-to-Eat Meat and Poultry Products	<a href="#">0583-AD53</a>
Eligibility of Lithuania to Export Meat and Meat Products to the United States	<a href="#">0583-AD57</a>

**Food and Nutrition Service - Proposed Rule**

Title	Regulation Identifier Number
Emergency Supplemental Nutrition Assistance for Victims of Disasters Procedures	<a href="#">0584-AE00</a>
Supplemental Nutrition Assistance Program: 2008 Farm Bill Provisions on Clarification of Split Issuance; Accrual of Benefits; Interchange Fees and Definition Changes	<a href="#">0584-AE02</a>
Enhancing Retailer Eligibility Standards in SNAP	<a href="#">0584-AE27</a>
SNAP: Restaurant Meal Program State Agency Annual Plan and Reporting Requirements, the Use of Benefits for Purchase of Community Supported Agriculture Shares	<a href="#">0584-AE32</a>
Modernizing Supplemental Nutrition Assistance Program (SNAP) Benefit Redemption Systems	<a href="#">0584-AE37</a>
Processing of Donated Foods for Use in the NSLP and Other Food Assistance Programs: Implementation of the Agricultural Act of 2014, and Further Revisions and Clarifications in Processing Requirements	<a href="#">0584-AE38</a>
Supplemental Nutrition Assistance Program (SNAP): Electronic Benefits Transfer Requirements for Scanning and Product-Lookup Technology	<a href="#">0584-AE39</a>
Supplemental Nutrition Assistance Program (SNAP): Student Eligibility, Convicted Felons, Lottery and Gambling, and State Immigration Verification Provisions of the Agricultural Act of 2014	<a href="#">0584-AE41</a>
Food and Nutrition Service Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	<a href="#">0584-AE42</a>
Supplemental Nutrition Assistance Program: Standard Utility Allowances Based on the Receipt of Energy Assistance Payments	<a href="#">0584-AE43</a>
Supplemental Nutrition Assistance Program Promotion	<a href="#">0584-AE44</a>
Supplemental Nutrition Assistance Program (SNAP) Photo Electronic Benefit Transfer (EBT) Card Implementation Requirements	<a href="#">0584-AE45</a>
Supplemental Nutrition Assistance Program: Definition of "Benefit" as it Pertains to Retail Owners	<a href="#">0584-AE46</a>
Supplemental Nutrition Assistance Program: National Crime Information Center Background Check Requirement for Retailer Authorization and Reauthorization	<a href="#">0584-AE47</a>

**Food and Nutrition Service - Final Rule**

Title	Regulation Identifier Number
Direct Certification of Children in SNAP Households and Certification of Homeless, Migrant, and Runaway Children for Free Meals in the NSLP, SBP, and SMP	<a href="#">0584-AD60</a>
Implementing Provisions From the Child Nutrition and WIC Reauthorization Act of 2004: Seamless Summer Option for Schools Participating in the National School Lunch Program	<a href="#">0584-AD70</a>
Simplified Cost Accounting and Other Actions to Reduce Paperwork in the Summer Food Service Program	<a href="#">0584-AD84</a>
Review of Major Changes in Program Design and Management Evaluation Systems	<a href="#">0584-AD86</a>
Eligibility, Certification, and Employment and Training Provisions	<a href="#">0584-AD87</a>
Supplemental Nutrition Assistance Program: Farm Bill of 2008 Retailer Sanctions	<a href="#">0584-AD88</a>
Fresh Fruit and Vegetable Program	<a href="#">0584-AD96</a>
Supplemental Nutrition Assistance Program Provision Major System Failures	<a href="#">0584-AD98</a>
Clarification of Eligibility of Fleeing Felons	<a href="#">0584-AE01</a>
Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant	<a href="#">0584-AE07</a>
National School Lunch and School Breakfast Programs: Nutrition Standards for All Foods Sold in School, as Required by the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE09</a>
National School Lunch and School Breakfast Programs: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE11</a>
Child and Adult Care Food Program: Amendments Related to the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE12</a>
National School Lunch Program and School Breakfast Program: Eliminating Applications Through Community Eligibility as Required by the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE16</a>
Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE18</a>
WIC: Electronic Benefit Transfer (EBT) Implementation	<a href="#">0584-AE21</a>
Child Nutrition Programs: Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010	<a href="#">0584-AE25</a>
Requirements for the Distribution and Control of Donated Foods; and the Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014	<a href="#">0584-AE29</a>

Administrative Reviews in the School Nutrition Programs	<a href="#">0584-AE30</a>
SNAP: Employment and Training Program Monitoring, Oversight and Reporting Measures	<a href="#">0584-AE33</a>
Supplemental Nutrition Assistance Program Requirement for National Directory of New Hires Wage Verification and Periodic Program Activity Reporting	<a href="#">0584-AE36</a>
Supplemental Nutrition Assistance Program (SNAP): Implementation of the Agricultural Act of 2014 Purchasing and Delivery Services for the Elderly and Disabled	<a href="#">0584-AE40</a>

**Food and Nutrition Service - Completed Action**

Title	Regulation Identifier Number
Supplemental Nutrition Assistance Program Employment and Training: Outcome Performance Measures	<a href="#">0584-AE06</a>
Supplemental Nutrition Assistance Program: Agricultural Act of 2014 Medical Marijuana Exclusion	<a href="#">0584-AE35</a>
Supplemental Nutrition Assistance Program (SNAP): Agricultural Act of 2014 Non-Discretionary Provisions	<a href="#">0584-AE48</a>

**Forest Service - Proposed Rule**

Title	Regulation Identifier Number
Small Business Administration Timber Sale Set-Aside Program (Directive)	<a href="#">0596-AC46</a>
Administrative Issuances; Involving the Public in the Formulation of Forest Service Directives (Rule)	<a href="#">0596-AC65</a>
Wilderness Management Policy (Directive)	<a href="#">0596-AC96</a>
National Forest System Invasive Species Management Handbook (Directive)	<a href="#">0596-AD05</a>
Community Forest and Open Space Conservation Program (Rule)	<a href="#">0596-AD23</a>
Prohibitions in Region 8, Southern Region (Rule)	<a href="#">0596-AD24</a>
Colorado Roadless Rule--North Fork Coal Mining Exception (Rule)	<a href="#">0596-AD26</a>

**Forest Service - Final Rule**

Title	Regulation Identifier Number
Resource Agency Procedures for Conditions and Prescriptions in Hydropower Licenses (Rule)	<a href="#">0596-AC42</a>
Water Quality Management and Best Management Practices for Water and Soil Conservation (Directive)	<a href="#">0596-AC71</a>
Burned Area Emergency Response (BAER) (Directive)	<a href="#">0596-AC73</a>
Forest Service Manual 2020--Ecological Restoration and Resilience Policy (Directive)	<a href="#">0596-AC82</a>
Forest Products for Traditional and Cultural Purposes (Rule)	<a href="#">0596-AD00</a>
Ski Area Definition--Land Uses, Special Uses (Rule)	<a href="#">0596-AD12</a>
Ski Area--D Clauses: Resource and Improvement Protection, Water Facilities, and Water Rights (Directive)	<a href="#">0596-AD14</a>
FSM 2358 National Saw Program--Sawyer Evaluation and Certification (Directive)	<a href="#">0596-AD16</a>
Commercial Filming in Wilderness (Directive)	<a href="#">0596-AD20</a>
Stewardship End Result Contracting (Rule)	<a href="#">0596-AD25</a>

**Forest Service - Long-term Action**

Title	Regulation Identifier Number
Threatened, Endangered, and Sensitive (TES) Plants and Animals; TES Habitat Management; and Biodiversity Conservation Guidance (Directive)	<a href="#">0596-AC92</a>
Management of Surface Activities Associated With Outstanding Mineral Rights on National Forest System Lands (Directive)	<a href="#">0596-AD03</a>
American Indian and Alaska Native Relations (Directive)	<a href="#">0596-AD15</a>

**Forest Service - Completed Action**

Title	Regulation Identifier Number
Idaho Roadless Rule--Caribou-Targhee National Forest Modification (Rule)	<a href="#">0596-AD22</a>

**Office of Procurement and Property Management - Proposed Rule**

Title	Regulation Identifier Number
Designation of Biobased Product Categories for Federal Procurement, Round 11	<a href="#">0599-AA24</a>
Designation of Biobased Product Categories for Federal Procurement, Round 12	<a href="#">0599-AA25</a>

**Office of Procurement and Property Management - Final Rule**

Title	Regulation Identifier Number
Integrated Resource Service Contract Fire Liability Clause	<a href="#">0599-AA21</a>

**Office of Procurement and Property Management - Completed Action**

Title	Regulation Identifier Number
Voluntary Labeling Program for Biobased Products: Mature Market Products	<a href="#">0599-AA22</a>
Guidelines for Designating Biobased Products for Federal Procurement: Mature Market Products	<a href="#">0599-AA23</a>

**Title:** Implementation of Executive Order 13559--Partnerships With Faith-Based and Other Neighborhood Organizations

**Abstract:**

This rule would revise USDA's generally applicable regulation in 7 CFR part 16 regarding the equal protection of faith-based organizations in the Department's programs and activities. These revisions are being undertaken to implement the provisions of Executive Order (E.O.) 13559, "Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations." Executive Order 13559 revised Executive Order 13279, which provides the legal basis for USDA's current faith-based rules, by changing terminology, clarifying existing principles, and prescribing additional beneficiary protections. Some of the changes that pertain to this rulemaking include restating "inherently religious activities" as "explicitly religious activities," clarifying the distinction between direct and indirect Federal financial assistance, and implementing the beneficiary protections specified in section 2(h) of Executive Order 13559.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 16 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** E.O. 13559

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/06/2015	80 FR 47243
Comment Period End	10/05/2015	
Final Action	04/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Norah Deluhery

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**Department of Agriculture (USDA)**

**Office of the Secretary ( AgSEC )**

**RIN:** 0503-AA58

**Title:** Revisions of Delegations of Authority

**Abstract:**

This rule makes several changes to the United States Department of Agriculture's (USDA) delegations of authority in 7 CFR part 2 by adding new delegations and modifying existing delegations.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6912 (a)(1)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	09/29/2015	80 FR 58335
Final Action Effective	09/29/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Office of Chief Financial Officer ( OCFO )**

**RIN:** 0505-AA15

**Title:** Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards--USDA Implementation

**Abstract:**

Adopts and implements OMB's final guidance on Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Implements 2 CFR part 200 and puts in USDA-specific requirements into 2 CFR 415, 416, and 422. USDA will be removing five parts in title VII.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 200 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 31 U.S.C. 503

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
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Interim Final Rule	12/19/2014	79 FR 75867
Final Rule	12/00/2015	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Business; Governmental Jurisdictions; Organizations**Agency Contact:** Tyson Whitney

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**Government Levels Affected:** Local; State; Tribal**Federalism:** No**Department of Agriculture (USDA)**  
**Agricultural Research Service (ARS)**

RIN: 0518-AA05

**Title:** Changes to Fees and Payment Methods.**Abstract:**

This proposed rule announces the Agricultural Research Service's (ARS), intent to increase the fees of ARS's Patent Culture Collection.

**Priority:** Substantive, Nonsignificant**Major:** No**CFR Citation:** 7 CFR 504.2 and 504.3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 CFR 504.2(a)**Legal Deadline:** None**Agenda Stage of Rulemaking:** Proposed Rule**Unfunded Mandates:** No**Timetable:**

Action	Date	FR Cite
NPRM	09/02/2015	80 FR 53021
NPRM Comment Period End	11/02/2015	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Yvette Anderson Department of Agriculture

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**Government Levels Affected:** No**Federalism:** No**Department of Agriculture (USDA)**  
**Cooperative State Research, Education, and Extension Service (CSREES)**

RIN: 0524-AA66

**Title:** Omnibus Consolidation of Rules: Integrated 406, SCRI, BFRDP, Sun Grant, OREI, Merit Review and Matching Requirements**Abstract:**

The National Institute of Food and Agriculture (NIFA) is publishing as a final rule, a set of general and specific administrative requirements applicable to competitive and non-competitive non-formula programs. The purpose of this final rule is to implement sections of the Agriculture Act of 2014 (Pub. L. 113-79 or the 2014 Farm Bill) making it necessary to modify subparts A, B, and E of the general administrative provisions as well as specific grant programs located in subparts F, H, J, and O of 7 CFR part 3430. The purpose of the final rule also is to adopt the interim administrative provisions located in subparts G, H, and I, as final and to add a new subpart L.

**Priority:** Substantive, Nonsignificant**Major:** No**CFR Citation:** 7 CFR 3430 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 U.S.C. 3316; Pub. L. 106-107; 31 U.S.C. 6101 note**Legal Deadline:** None**Agenda Stage of Rulemaking:** Final Rule**Unfunded Mandates:** Undetermined**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/04/2009	74 FR 45736
Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Related RINs:** Related to 0524-AA58**Agency Contact:** Mrs. Melanie Krizmanich

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**Government Levels Affected:** Undetermined**Federalism:** Undetermined

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**Department of Agriculture (USDA)**  
**Cooperative State Research, Education, and Extension Service ( CSREES )**

RIN: 0524-AA65

**Title:** Food Insecurity Nutrition and Incentive (FINI) Grants Program

**Abstract:**

The primary goal of the Food Insecurity Nutrition and Incentive (FINI) grants program is to fund and evaluate projects intended to "increase the purchase of fruits and vegetables by low-income consumers participating in [SNAP] by providing incentives at the point of purchase" (FCEA, 4405(b)(2)(A)(ii)(I)). For FINI grants, NIFA defines "fruits and vegetables" as "any variety of fresh, canned, dried, or frozen whole or cut fruits and vegetables without added sugars, fats, or oils, and salt (i.e. sodium)." The program will test strategies that could contribute to our understanding of how best to increase the purchase of fruits and vegetables by Supplemental Nutrition Assistance Program (SNAP) participants to inform future efforts, and develop effective and efficient benefit redemption technologies.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 3430 subpart P (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 7517

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/04/2009	74 FR 45736-45752
Final Rule	10/23/2015	80 FR 64309
Final Rule Effective	10/23/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Public Comment URL:** [Policy@nifa.usda.gov](mailto:Policy@nifa.usda.gov)

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA73

**Title:** Facility Guarantee Loan Program (FGP)

**Abstract:**

The Facility Guarantee Loan Program (FGP) provides payment guarantees to finance commercial exports of U.S. manufactured goods and services that will be used to improve or establish agriculture-related facilities in emerging markets, with the goal of enhancing U.S. agricultural commodity sales. Under the provisions of the Food, Conservation, and Energy Act of 2008, the proposed rule will incorporate changes to allow for a waiver of U.S. content. The final rule will also simplify the implementation and application process of the FGP program and ensure the program's compliance with the Organization for Economic Cooperation and Developments (OECD) Arrangement on Officially Supported Export Credits.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1493 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 5602; 7 U.S.C. 5622; 7 U.S.C. 5661 to 5664; 7 U.S.C. 5676; 15 U.S.C. 714b(d), 714c(f)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	08/06/2009	74 FR 39240
ANPRM Comment Period End	10/05/2009	
Proposed Rule	06/15/2015	80 FR 34080
PR Comment Period End	08/14/2015	
Final Rule	01/00/2016	

**Additional Information:** Because of the length of time this program has been inactive, and due to the lack of specific comments received in response to the proposed rule, the Agency plans to issue a final rule with comments. This will allow time for participants to utilize the program and to submit comments based on that experience.

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: www.fas.usda.gov

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Government Levels Affected: No

Federalism: No

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA83

**Title:** General Administrative Policy Agreements to Conduct International Agricultural Research, Extension, and Teaching Activities**Abstract:**

This direct final rule provides uniform guidelines on the use, award, and administration of Federal financial assistance transactions awarded by FAS under the authority of 7 U.S.C. 3291(a).

**Priority:** Substantive, Nonsignificant**Major:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 U.S.C. 3291(a)**Legal Deadline:** None**Agenda Stage of Rulemaking:** Final Rule**Unfunded Mandates:** No**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/2015	

Regulatory Flexibility Analysis Required: No

Federalism: No

Related RINs: Related to 0551-AA84; Related to 0551-AA85

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Government Levels Affected: Undetermined

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA84

**Title:** General Administrative Policy for Joint Venture Agreements**Abstract:**

This direct final rule will provide uniform guidelines on the use, award, and administration of Federal financial assistance joint venture agreements awarded by FAS under the authority of 7 U.S.C. 3318(b). The intended effect is to implement agency regulations to reflect current statutory authority and long-held agency business practices.

**Priority:** Substantive, Nonsignificant**Major:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 U.S.C. 3318(b)**Legal Deadline:** None**Agenda Stage of Rulemaking:** Final Rule**Unfunded Mandates:** No**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/2015	

Regulatory Flexibility Analysis Required: No

Federalism: Undetermined

Related RINs: Related to 0551-AA83; Related to 0551-AA85

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Government Levels Affected: Undetermined

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA85

**Title:** Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Cost Reimbursable Agreements and Subagreements**Abstract:**

This direct final rule will provide uniform guidelines on the use, award, and administration of Federal financial assistance cost-reimbursable agreements and subagreements awarded by Foreign Agricultural Service (FAS) under the authority of 7 U.S.C. 3319a. The intended effect is to implement agency regulations to reflect current statutory authority and long-held agency business practices.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 3319(a)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Related to 0551-AA83; Related to 0551-AA84

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

**RIN:** 0551-AA87

**Title:** USDA Local and Regional Food Aid Procurement Program

**Abstract:**

FAS is issuing a final rule with comment for the USDA Local and Regional Food Aid Procurement Program (USDA LRP Program), authorized in section 3207 of the Agricultural Act of 2014. The USDA LRP Program funds may be used to support development activities that strengthen the capacity of food-insecure developing countries, and build resilience and address the causes of chronic food insecurity and support USDA's other food assistance programs, especially the McGovern Dole International Food for Education and Child Nutrition Program (McGovern-Dole). In addition, funds may be used to fill food availability gaps generated by unexpected emergencies. USDA LRP Program funding used to complement ongoing activities under the McGovern-Dole Program will improve dietary diversity and nutrition, and support the graduation and sustainability of school-feeding programs as they transition to full host-government ownership. LRP funding will enable FAS and its partners to build the capacity of host-governments to implement their own homegrown school feeding programs. A final rule is needed for FAS to begin implementing the program in FY 2016 and will establish awardee obligations regarding financial management and performance standards specifying applicable Departmental regulations and incorporating statutory requirements. The promulgation of a rule to administer the USDA LRP program will require the assignment of a new CFR number.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** section 3207 of the Agriculture Act of 2014

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

7 U.S.C. 1726c and Sections 3207 of the Agricultural Act of 2014 (Public Law 113-79).

**Alternatives:**

N/A

**Costs and Benefits:**

It is anticipated that adopting a local and regional procurement program will bring about several benefits identified under the local and regional pilot project. Primarily, USDA LRP Program will result in cost savings in transport, shipping, and handling; better match between recipients needs and program commodity availability; and time savings between the procurement and delivery of food, which is especially important in emergency situations; and providing a means to strengthen or build local supply chains

In addition, recipients under the LRP Pilot generally prefer locally and regionally sourced food over food sourced from other areas making it more suitable for food preparation and more accepted by school-aged children. This acceptability and availability would also impact the small scale producers who would experience an increase in demand and help them achieve economies of scale.

**Risks:**

None.

**Timetable:**

Action	Date	FR Cite
Final Rule With Comments	02/00/2016	

**Additional Information:** International Impacts: This regulatory action will be likely to have international trade and development effects, or otherwise be of international interest.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Connie Ehrhart

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA88

**Title:** McGovern-Dole International Food for Education and Child Nutrition Program**Abstract:**

The McGovern-Dole International Food for Education and Child Nutrition Program (McGovern-Dole) helps support food security, child development, and education in low-income, food-deficient countries around the world. The program provides for the donation of U.S. agricultural commodities, as well as financial and technical assistance, to support school feeding and maternal and child health and nutrition projects.

FAS plans to publish a final rule with comments for the McGovern-Dole Program to: (1) clarify the types of entities eligible for awards and the applicability of the regulations to each type of eligible entity, (2) insert new definitions, (3) include a requirement to disclose the names and estimated costs of intended subrecipients at the proposal phase, (4) insert new terms for cash advances and reimbursements, (5) remove obsolete references to old systems and reporting requirements, (6) clarify and strengthen language requiring award recipients to report on commodity losses or damages and pursue claims, (7) insert a requirement for monetization plans for all programs involving sales of branding and labeling requirements and allow for the option of a waiver in exceptional circumstances, and (10) update other language as necessary to align the regulation with 2 CFR part 200, the new Office of Management and Budget (OMB) rule combining the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 CFR 1599**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule With Comments	01/00/2016	

**Additional Information:** International Impacts: This regulatory action will be likely to have international trade and development effects, or otherwise be of international interest.**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Connie Ehrhart

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA89

**Title:** Food for Progress Program**Abstract:**

The Food for Progress Program provides for the donation of U.S. agricultural commodities to developing countries committed to introducing and expanding free enterprise in the agricultural sector. The commodities are monetized (sold on the local market), and the proceeds are used to support agricultural development activities. Food for Progress has two objectives: to improve agricultural productivity and expand trade in agricultural products.

FAS plans to publish a final rule with comments for the Food for Progress Program to: (1) clarify the types of entities eligible for awards and the applicability of the regulations to each type of eligible entity, (2) insert new definitions, (3) include a requirement to disclose the names and estimated costs of intended subrecipients at the proposal phase, (4) insert new terms for cash advances and reimbursements, (5) remove obsolete references to old systems and reporting requirements, (6) clarify and strengthen language requiring award recipients to report on commodity losses or damages and pursue claims, (7) insert a requirement for monetization plans for all programs involving sales of donated commodities, (8) incorporate new performance monitoring requirements, (9) strengthen branding and labeling requirements and allow for the option of a waiver in exceptional circumstances, and (10) update other language as necessary to align the regulations with 2 CFR part 200, the new Office of Management and Budget (OMB) rule combining the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 CFR 1499**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule With Comments	01/00/2016	

**Additional Information:** International Impacts: This regulatory action will be likely to have international trade and development effects, or otherwise be of international interest.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No

**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Connie Ehrhart

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**Department of Agriculture (USDA)**  
**Foreign Agricultural Service ( FAS )**

RIN: 0551-AA82

**Title:** Dairy Import Licensing Program**Abstract:**

The U.S. dairy market has changed a great deal since the dairy import licensing regulation was promulgated in 1996. In intervening years, there have been significant advances in technology and telecommunications and certain processes; for example, issuing new or reallocated licenses can now be managed in less time. While the United States was a major net importer of cheese in 1996, as of 2011 the United States had become a net exporter of cheese. Given such large changes in the dairy market environment, we are requesting comments on various aspects of the program, such as how the fees are calculated and the basis upon which historical and lottery licenses are issued each year.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 6 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** ch 4 of the Harmonized Tariff Schedule**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	02/06/2013	78 FR 8434
ANPRM Comment Period End	04/08/2013	
NPRM	12/23/2014	79 FR 76919
NPRM Comment Period End	02/23/2015	
Final Rule	07/27/2015	80 FR 44251
Final Rule Effective	09/01/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Connie Ehrhart

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**Department of Agriculture (USDA)**  
**Farm Service Agency ( FSA )**

RIN: 0560-AH02

**Title:** Environmental Compliance and Related Concerns**Abstract:**

This rule will provide the Farm Service Agency (FSA) with an environmental compliance regulation that updates, improves, and clarifies its requirements to comply with the National Environmental Policy Act; the National Historic Preservation Act; and numerous other environmental and cultural resource laws, regulations, and Executive orders. It will also make the regulation consistent for both FSA's Farm Loan Programs and Farm Programs. Also, it will remove outdated regulations used by FSA from chapter XVIII of the Code of Federal Regulations, formerly used by the predecessor to FSA, the Farmers Home Administration. The changes will promote predictability and reduce uncertainty for environmental compliance related to actions for FSA programs. The changes will coordinate, simplify, and harmonize the environmental compliance rules.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 799 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 U.S.C. 4321 et seq.**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/03/2014	79 FR 52239
NPRM Comment Period End	12/02/2014	
Final Rule	04/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** [www.regulations.gov](http://www.regulations.gov)**Agency Contact:** Deirdre Holder

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**Department of Agriculture (USDA)**  
**Farm Service Agency ( FSA )**

RIN: 0560-AI31

**Title:** Payment Limitation and Payment Eligibility--Actively Engaged in Farming

**Abstract:**

The Farm Service Agency (FSA) is revising regulations on behalf of the Commodity Credit Corporation (CCC) to specify the requirements for a person to be considered actively engaged in farming for the purpose of payment eligibility for certain FSA and CCC programs. Specifically, FSA is revising and clarifying the requirements for a significant contribution of active personnel management to a farming operation. These changes are required by the Agricultural Act of 2014 (the 2014 Farm Bill). The provisions of the rule will not apply to persons or entities comprised solely of family members. The rule will not change the existing regulations as they relate to contributions of land, capital, equipment, labor, or the special rules related to landowners with a risk in the crop or spouses.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1400 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 7 U.S.C. 1308?1 note

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:**

This rule is needed to update the FSA regulations to implement a provision in the 2014 Farm Bill.

**Legal Basis:**

The Agricultural Act of 2014 (Pub. L. 113-79)

**Alternatives:**

There are alternatives about how many managers a farming operation may be able to have qualify for payments based on being actively engaged in farming.

**Costs and Benefits:**

A cost-benefit analysis was prepared for this rule and will be made available when the rule is published.

**Risks:**

None.

**Timetable:**

Action	Date	FR Cite
NPRM	03/26/2015	80 FR 15916
NPRM Comment Period End	05/26/2015	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Farm Service Agency ( FSA )**

RIN: 0560-AI32

**Title:** Farm Loan Programs, Highly Fractionated Indian Lands (HFIL) Loan Program

**Abstract:**

The Farm Service Agency (FSA) will implement a new Highly Fractionated Indian Lands (HFIL) loan program to provide revolving loan funds to eligible intermediary lenders familiar with Indian lands, and those lenders will give loans to the qualified individuals, entities, and tribes to purchase HFIL, as specified in the section 5402 of the 2014 Farm Bill. As ownership of Indian land descends from one generation to another, fractionation continues to be a worsening problem, and many tracts are held in undivided ownership by hundreds or thousands of people. The ability of the owners to use land decreases as fractionation increases, sometimes to the point where it is nearly impossible to locate the owners or for the owners to coordinate. The new HFIL program is required by 2014 Farm Bill. This final rule provides a way for tribal members to be able to get loans to purchase the lands and consolidate the fractionated interests to qualified tribes, individuals and entities.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 769 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 25 U.S.C. 488

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Federalism:** No

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**Department of Agriculture (USDA)**  
**Farm Service Agency ( FSA )**

**RIN:** 0560-AI26

**Title:** Conservation Compliance

**Abstract:**

The interim rule implements mandatory changes to the conservation compliance regulations in 7 CFR part 12 as required by the Agricultural Act of 2014 (the 2014 Farm Bill). The current regulations require participants in most USDA programs to comply with conservation compliance measures on any land that is highly erodible or that is considered a wetland. The 2014 Farm Bill expands current conservation compliance requirements to apply to producers who obtain subsidized Federal crop insurance under the Federal Crop Insurance Act. It also slightly modifies the existing wetlands "Mitigation Banking" program to remove the requirement that USDA hold easements in the mitigation program.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 12 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1501 et seq.; 16 U.S.C. 3811 and 3812; 16 U.S.C. 3821 and 3822

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

This rule is needed to update the FSA regulations to implement the 2014 Farm Bill changes.

**Legal Basis:**

The Agricultural Act of 2014 (Pub. L. 113-79).

**Alternatives:**

There are no alternatives to this rule; the changes are legislatively mandated.

**Costs and Benefits:**

A cost-benefit analysis was prepared for this rule and will be made available when the rule is published.

**Risks:**

None.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/24/2015	80 FR 22873
Interim Final Rule Effective	04/24/2015	
Interim Final Rule Comment Period End	06/23/2015	
Final Rule	11/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Public Comment URL:** regulations.gov

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**Department of Agriculture (USDA)**  
**Farm Service Agency ( FSA )**

**RIN:** 0560-AI30

**Title:** Conservation Reserve Program (CRP)

**Abstract:**

The rule implements changes to Conservation Reserve Program (CRP) required by the 2014 Farm Bill. CRP assists producers to conserve and improve soil, water, and wildlife resources by converting highly erodible and other environmentally sensitive acreage to a long-term vegetative cover. The core scope of CRP will not change. The changes required by the 2014 Farm Bill include providing an "early out" for contract cancellations in 2015, removing the requirement for a payment reduction for emergency haying and grazing, and allowing non-cropland (grasslands) in CRP. CRP is a Commodity Credit Corporation (CCC) program administered by the Farm Service Agency (FSA).

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1410 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 16 U.S.C. 3831 to 3835

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Notice	07/15/2014	79 FR 41247
Notice Comment Period End	09/08/2014	
Notice	12/23/2014	79 FR 76952
Notice Comment Period End	02/15/2015	
Notice - Record of Decision	06/18/2015	80 FR 34883
Interim Final Rule	07/16/2015	80 FR 41987
Interim Final Rule Effective	07/16/2015	
Interim Final Rule Comment Period End	09/14/2015	
Final Rule	12/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Public Comment URL:** regulations.gov

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**Department of Agriculture (USDA)**

**Farm Service Agency ( FSA )**

**RIN:** 0560-AH68

**Title:** Agriculture Priorities and Allocations Systems

**Abstract:**

The Secretary of Agriculture is authorized to establish a system to prioritize contracts and make allocations of certain agriculture-related resources, as necessary, to meet national defense priorities. The Farm Service Agency has the delegated authority and is implementing regulations to allow USDA to efficiently place priority ratings on contracts or orders with respect to resources within its authority should the need arise. The new Agriculture Priorities and Allocation System (APAS) regulations will be similar to the Department of Commerce's Defense Priorities and Allocation System (DPAS) for establishing priority ratings for contract performance.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 789 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 50 U.S.C. app 2061 et seq.; 42 U.S.C. 5195 et seq.

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/19/2011	76 FR 29084
NPRM Comment Period End	07/18/2011	
Final Action	10/22/2015	80 FR 63890
Final Action Effective	12/21/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Public Comment URL:** www.regulations.gov

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**Department of Agriculture (USDA)**

**Federal Crop Insurance Corporation ( FCIC )**

**RIN:** 0563-AC48

**Title:** Common Crop Insurance Regulations; Texas Citrus Fruit Crop Insurance Provisions

**Abstract:**

The purpose of this rule is to solicit public comments on FCIC's proposed action to amend the Texas Citrus Fruit Crop Insurance Provisions. The intended effect of this action is to provide policy changes to better meet the needs of policyholders, to clarify existing policy provisions, and to reduce vulnerability to program fraud, waste, and abuse. The proposed changes will be effective for the 2018 and succeeding crop years.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 457 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1506 (l); 7 U.S.C. 1506 (o)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Timothy Hoffmann

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**Department of Agriculture (USDA)**

**Federal Crop Insurance Corporation (FCIC)**

**RIN:** 0563-AC43

**Title:** General Administrative Regulations; Catastrophic Risk Protection Endorsement; Area Risk Protection Insurance Regulations; and the Common Crop Insurance Regulations, Basic Provisions

**Abstract:**

The Federal Crop Insurance Corporation amends the General Administrative Regulations--Ineligibility for Programs under the Federal Crop Insurance Act, the Catastrophic Risk Protection Endorsement, the Area Risk Protection Insurance Regulations, and the Common Crop Insurance Regulations, Basic Provisions, to revise those revisions affected by changes mandated by the Agricultural Act of 2014 (commonly referred to as the 2014 Farm Bill), enacted on February 7, 2014.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 400; 7 CFR 457 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** 2015 Contract year

Action	Source	Description	Date
Other	Statutory		06/30/2014

**Regulatory Plan:**

**Statement of Need:**

This Final rule is needed complete the Interim Final Rule that updates FCIC regulations required to implement provisions of the Agricultural Act of 2014.

**Legal Basis:**

The Agricultural Act of 2014 .

**Alternatives:**

N/A

**Costs and Benefits:**

A benefit-cost analysis was prepared for the Interim Final Rule and no significant changes have been made to this Final Rule which would alter the initial analysis which will be made available when the rule is published.

**Risks:**

None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/30/2014	79 FR 37155
Interim Final Rule Comment Period End	09/02/2014	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Federal Crop Insurance Corporation ( FCIC )**

RIN: 0563-AC45

**Title:** General Administrative Regulations; Subpart X--Interpretations of Statutory Provisions, Policy Provisions, and Procedures

**Abstract:**

The Federal Crop Insurance Corporation (FCIC) plans to revise the General and Administrative Regulation subpart X--Interpretations of Statutory and Regulatory Provisions, to incorporate interpretations of procedures previously issued and administered in accordance with Manager's Bulletin MGR-05-018 and to provide a mechanism for interpretations of policy provisions that are not codified in the Code of Federal Regulations. This action would provide requestors with information on how to request a final agency determination or an interpretation of FCIC procedures and unpublished policy provisions within one administrative regulation, bring consistency and clarity to the processes used, and to clarify existing provisions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 400 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

**Legal Authority:** 7 U.S.C. 1506 (l); 7 U.S.C. 1506 (o)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/18/2015	80 FR 14030
NPRM Comment Period End	04/17/2015	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Federal Crop Insurance Corporation ( FCIC )**

RIN: 0563-AC46

**Title:** General Administrative Regulation-Subpart V--Submission of Policies, Provisions of Policies and Rates of Premium

**Abstract:**

The Federal Crop Insurance Corporation replaces the General Administrative Regulation-subpart V--Submission of Policies, Provisions of Policies and Rates of Premium to incorporate legislative changes to the Federal Crop Insurance Act (Act) stemming from the Agricultural Act of 2014, to clarify existing regulations, lessen the burden of submitters of crop insurance policies, provisions of policies, or rates of premium under section 508(h) of the Act; provide guidance on the submission and payment for concept proposals under section 522 of the Act; and to incorporate changes that are consistent with those made in the Common Crop Insurance Policy Basic Provisions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 400 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

**Legal Authority:** 7 U.S.C. 1506(l); 7 U.S.C. 1506(o); 7 U.S.C. 1508(h); 7 U.S.C. 1522(b); 7 U.S.C. 1523(i); ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/25/2015	80 FR 10008
NPRM Comment Period End	04/27/2015	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Federal Crop Insurance Corporation ( FCIC )**

RIN: 0563-AC47

**Title:** Common Crop Insurance Regulations; Cotton Crop Insurance Provisions and Extra Long Staple Cotton Crop Insurance Provisions

**Abstract:**

The purpose of this rule is to amend the Cotton Crop Insurance Provisions and the Extra Long Staple (ELS) Cotton Crop Insurance Provisions. The intended effect of this action is

to clarify and revise policy provisions for the 2017 and succeeding crop years.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 457 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1506 (l); 7 U.S.C. 1506 (o)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Federal Crop Insurance Corporation ( FCIC )**

**RIN:** 0563-AC49

**Title:** Area Risk Protection Insurance (ARPI) Basic Provisions and ARPI Forage Crop Insurance Provisions

**Abstract:**

The purpose of this rule is to amend the Area Risk Protection Insurance (ARPI) Basic Provisions and the ARPI Forage Crop Insurance Provisions to implement the changes contained in the Agricultural Act of 2014, enacted on February 7, 2014, and to meet the goals of the Acreage Crop Reporting Streamlining Initiative (ACRSI). The changes will apply for the 2017 and succeeding crop years.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 407 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1506 (l); 7 U.S.C. 1506 (o)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Rural Business-Cooperative Service ( RBS )**

**RIN:** 0570-AA85

**Title:** Business and Industry (B&I) Guaranteed Loan Program

**Abstract:**

The Agency published a proposed rule for the Business and Industry (B&I) Guaranteed Loan Program on September 15, 2014 (78 FR 22044), which, when finalized, would revise the 1996 B&I regulations. While there have been some minor modifications to the B&I Guaranteed Loan Program regulations since 1996, this action primarily implements the 2014 Farm Bill and makes needed refinements to the regulation. These changes are designed to enhance the program, improve efficiency, correct minor inconsistencies, clarify the regulations, and ultimately reduce delinquencies. The Agency held several lender meetings throughout the country to see how changes to the program could benefit lenders who use the program. The rule is intended to, increase lending activity, expand business opportunities, and create jobs in rural areas, particularly in areas that have historically experienced economic distress.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 4287; 7 CFR 4279 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Consolidated Farm and Rural Development Act

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/15/2014	79 FR 55316
NPRM Comment Period End	11/14/2014	
Final Rule	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Rural Business-Cooperative Service ( RBS )**

RIN: 0570-AA95

**Title:** Program Measures and Metrics**Abstract:**

The Agency is proposing to publish an Interim Rule with request for comments that will codify certain program measures and metrics for included Agency programs and establish the process by which the Agency will collect the data. Section 6209 of the Agricultural Act of 2014 (2014 Farm Bill) (Pub. L. 113-79) requires the Secretary of Agriculture to collect data regarding economic activities created through grants and loans, including any technical assistance provided as a component of the grant or loan program, and measure the short- and long-term viability of award recipients and any entities to whom those recipients provide assistance using award funds. The proposed action will not change the underlying provisions of the included programs (e.g., eligibility, applications, scoring, and servicing provisions).

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 4284, subpart J; 7 CFR 4280, subparts A and D; 7 CFR 4284, subparts E and F; 7 CFR 4279, subparts A and B; 7 CFR 4287, subpart B; 7 CFR 4274, subpart D; 7 CFR 1942, subpart A; 7 CFR 3575, subpart A; 7 CFR 3570, subpart B (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79, sec 6209**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

This interim rule implements section 6209, Program Measures and Metrics, under the Agricultural Act of 2014 (2014 Farm Bill). The proposed action will codify the measures and metrics identified in section 6209(c)(2)(B) through (D) for each included program and establish the process by which the Agency will collect the data. The proposed action will not change the underlying provisions of the included programs (e.g., eligibility, applications, scoring, and servicing provisions).

To implement section 6209, the Agency plans to publish a single rule that will modify each of the included programs accordingly. While the specific provisions may vary from program to program, the rule will, at minimum, specify for each program:

- the performance measures required to be collected by the statute (i.e., percentage of increase of employees, number of business starts and clients served, and any benefits such as an increase in revenue or customer base) and other measures in addition to these as determined by the Agency,
- who is responsible for providing those metrics, and the time frame over which the metrics will be collected (this could vary depending on whether a grant or a loan/guaranteed loan is awarded).

**Legal Basis:****Alternatives:****Costs and Benefits:****Risks:****Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Rural Utilities Service ( RUS )**

RIN: 0572-AC29

**Title:** Telecommunications Equipment Contract**Abstract:**

In order to facilitate the programmatic interest of the Rural Electrification Act that loans made or guaranteed by the Agency are adequately secured, the Agency has established certain standardized forms for materials and equipment and the construction of electric and telecommunications systems. The use of standard forms, construction contracts, and procurement procedures helps to ensure that appropriate standards and specifications are maintained by the borrower, protects the Agency's loan security so it is not adversely affected, and ensures that the loan and loan guarantee funds are used effectively and for the intended purpose. The Rural Utilities Service is issuing a new equipment contract, RUS Form 395, for use by telecommunications program borrowers. The new contract will reflect present business and utilities practices, as well as changes in technology, services, and equipment.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1753; 7 CFR 1755 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 501; 7 U.S.C. 901 et seq.

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/12/2014	79 FR 8327
Notice	11/00/2015	
Final Rule	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Rural Utilities Service ( RUS )

RIN: 0572-AC33

Title: Policy on Audits of RUS Borrowers

Abstract:

The Agency will issue a proposed rule to incorporate the latest revisions to Generally Accepted Government Auditing Standards Issued by GAO. Other changes include clarifying the management letter to provide better guidance on subsidiary reporting; expanding the definition of borrower to include broadband and wireless providers; adding new definitions pertaining to the peer review program administered by the American Institute of Certified Public Accountants; increasing the threshold for expenditures under OMB Circular A-133; clarifying the peer review requirements; and clarifying procedures for requesting a change in audit date.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 7 CFR 1773 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 7 U.S.C. 901 et seq.; 7 U.S.C. 1921 et seq.; 7 U.S.C. 6941 et seq.

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Rural Utilities Service ( RUS )

RIN: 0572-AC34

Title: Rural Broadband Access Loans and Loan Guarantees

Abstract:

The Rural Utilities Service (RUS) is amending regulations for the Rural Broadband Access Loan and Loan Guarantee program to implement section 6104 of the Agriculture Act of 2014 (2014 Farm Bill), which made changes the Agency must adopt prior to accepting applications for future loans. RUS published this regulation as an interim rule, which took effect upon publication in the Federal Register on July 30, 2015. The rulemaking will allow the Agency to begin accepting applications once again.

In addition, the Agency is seeking comments regarding this interim rule to guide its efforts in drafting the final rule for the Broadband Loan Program. The Comment Date ends September 28, 2015.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 7 CFR 1738 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Pub. L. 107-171; 7 U.S.C. 901 et seq.

Legal Deadline: None

Regulatory Plan:

Statement of Need:

The Rural Utilities Service (RUS) is amending regulations for the Rural Broadband Access Loan and Loan Guarantee program to implement section 6104 of the Agriculture Act of 2014 (2014 Farm Bill) which made changes the Agency must adopt prior to accepting applications for future loans. RUS published this regulation as an interim rule, which took effect upon publication in the Federal Register on July 30, 2015. The rulemaking will allow the Agency to begin accepting applications once again.

**Legal Basis:**

On May 13, 2002, the Farm Security and Rural Investment Act of 2002, Public Law 107-171 (2002 Farm Bill) was signed into law. The 2002 Farm Bill amended the Rural Electrification Act of 1936 to include title VI, the Rural Broadband Access Loan and Loan Guarantee Program (Broadband Loan Program), to be administered by the Agency. Title VI authorized the Agency to approve loans and loan guarantees for the costs of construction, improvement, and acquisition of facilities and equipment for broadband service in eligible rural communities. Under the 2002 Farm Bill, the Agency was directed to promulgate regulations without public comment. Implementing the program required a different lending approach for the Agency than it employed in its earlier telephone program because of the unregulated, highly competitive, and technologically diverse nature of the broadband market. Those regulations were published on January 30, 2003, at 68 FR 4684.

In an attempt to enhance the Broadband Loan Program and to acknowledge growing criticism of funding competitive areas, the Agency proposed to amend the program's regulations on May 11, 2007, at 72 FR 26742. As the Agency began analysis of the public comments it received on the proposed regulations, the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) was working its way through Congress. On March 14, 2011, the Agency published an interim rule implementing the requirements of the 2008 Farm Bill and started accepting applications. The Agency did not receive any significant comments to the interim rule and published a final rule on February 6, 2013. With the enactment of the Agricultural Act of 2014 (2014 Farm Bill) section 6104, Public Law 113-79 (Feb. 7, 2014), additional requirements were added to the Broadband Loan Program, including the prioritization of approving applications, a minimum benchmark of broadband service, a more transparent public notice requirement, and the first statutorily required reporting standards, all of which are implemented in the rule.

**Alternatives:**

N/A

**Costs and Benefits:**

Bringing broadband services to rural areas does present some challenges. Because rural systems must contend with lower household density than urban systems, the cost to deploy fiber-to-the-home (FTTH) and 4G LTE systems in urban communities is considerably lower on a per household basis, making urban systems more economical to construct. Depending upon the technology deployed it can cost three times more, on average, to provide service to rural customers than to customers located in urban areas. Other associated rural issues, such as environmental challenges or providing wireless service through mountainous areas, also can add to the cost of deployment.

Areas with low population size, locations that have experienced persistent population loss and an aging population, or places where population is widely dispersed over demanding terrain generally have difficulty attracting broadband service providers. These characteristics can make the fixed cost of providing broadband access too high, or limit potential demand, thus depressing the profitability of providing service. Clusters of lower service exist in sparsely populated areas, such as the Dakotas, eastern Montana, northern Minnesota, and eastern Oregon. Other low-service areas, such as the Missouri-Iowa border and Appalachia, have aging and declining numbers of residents. Nonetheless, rural areas in some States (such as Nebraska, Kansas, and Vermont) have higher-than expected broadband service, given their population characteristics, suggesting that policy, economic, and social factors can overcome common barriers to broadband expansion.

Most employment growth in the U.S. over the last several decades has been in the service sector, a sector especially conducive for broadband applications. Broadband allows rural areas to compete for low- and high-end service jobs, from call centers to software development. Rural businesses have been adopting more e-commerce and Internet practices, improving efficiency and expanding market reach. Some rural retailers use the Internet to satisfy supplier requirements. The farm sector, a pioneer in rural Internet use, is increasingly comprised of farm businesses that purchase inputs and make sales online. Farm household characteristics such as age, education, presence of children, and household income are significant factors in adopting broadband Internet use, whereas distance from urban centers is not a factor. Larger farm businesses are more apt to use broadband in managing their operation; the more multifaceted the farm business, the more the farm used the Internet.

The 2015 subsidy rate is 18.69 percent. The available FY 2015 budget authority for this program is \$4.5 million, which will provide a program level of \$24.077 million in outlays at the current subsidy rate. Since the Interim Regulation for the Broadband Program was published in March of 2011, 27 applications have been received for an average of 7 loan applications per year. The applications range in size and may cover requests for funding for many communities. All of the pre-loan data collected by the applicant is generally submitted to RUS at the same time. The annual burden for preparation and submission per respondent for the pre-loan data is estimated to be 400 hours per response, response to the public notice filing requirement is 1.5 hours per response, and the preparation of loan documents is estimated at 24 hours per response.

The Agency estimates the cost to respondents will be at \$108,325. The overall hours spent per application and cost to respondents did not change from the former regulation. The projected change in the overall cost to the government is minimal compared with the former projections, only \$366. The burden of review breaks out into the following fashion: It is projected that there will be one more hour for the engineering analysis and financial analysis per application. The initial financial review and initial engineering review stay the same as it is under the previous regulation, as does the loan closing attorney and clerical assistance. Finally, it is estimated that the Loan Closing-Analyst time per application will increase by a half hour.

**Risks:**

Without access to advanced telecommunications networks, rural areas suffer from declining educational opportunities, inadequate health care, depressed economies, and high unemployment. In contrast, access to broadband can play a vital role in offsetting the obstacles of distances and isolation that have traditionally stifled rural progress and living standards. With broadband infrastructure in place high volumes of data can be shared easily across distances great and small. This technology is not a luxury service but rather a lifeline to modern everyday transactions. Without this basic utility rural residents do not and will not have adequate medical or educational services; rural businesses unable to thrive; and local governments disorganized and unconnected. Broadband accessibility is as fundamental for the future viability of rural communities today as was the telephone in the 20th century, and as railroads and highways were more than a century ago.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/30/2015	80 FR 45397
Interim Final Rule Effective	07/30/2015	
Interim Final Rule Comment Period End	09/28/2015	
Final Rule	07/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

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Department of Agriculture

Rural Utilities Service

**Government Levels Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**  
**Rural Utilities Service ( RUS )**

RIN: 0572-AC28

**Title:** Water Systems for Rural and Native Villages in Alaska

**Abstract:**

7 U.S.C. 1926(d) authorizes the Secretary of Agriculture to make grants to the State of Alaska for the benefit of rural or Native villages in Alaska to develop and construct water and wastewater systems that would improve the health and sanitation conditions in those villages. The Rural Utilities Service will remove the current administration of this program from 7 CFR 1780 and issue a new regulation, 7 CFR 1784, in order to provide specific policies and procedures governing the program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1784 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 301; 7 U.S.C. 1989; 16 U.S.C. 1005

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/20/2013	78 FR 77009
NPRM Comment Period End	02/18/2014	
Final Action	09/01/2015	80 FR 52606
Final Action Effective	09/01/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Rural Housing Service ( RHS )**

RIN: 0575-AC87

**Title:** Servicing Community Programs Loans and Grants

**Abstract:**

The Agency will consolidate the applicable portions of the seven regulations used to service Community Facilities direct loans and grants into one streamlined regulation. The consolidation will improve the Agency's ability to service its portfolio and will ensure that the Government's investment is protected and maximized. The proposed action will have no financial impact on the public or the Agency and will be in the best interest of the Government and the public. The consolidation and update will provide an improved basis for servicing Community Facilities direct loans by providing servicing options that will enable facilities to recover from delinquent situations, and continue operating and providing essential services to the public. The Agency also expects this action to reduce the use of program loan cost expense funds to maintain inventory properties. Streamlining seven regulations into one regulation will provide a user-friendly document that will reduce the time burden on Agency staff, as well as provide an easy-to-understand reference for the public.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1951; 7 CFR 1955; 7 CFR 1956 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Rural Housing Service ( RHS )**

RIN: 0575-AC91

**Title:** Community Facilities Direct Loans and Grants--Consolidate Three Regulations

**Abstract:**

The Agency plans to consolidate and update three regulations, 7 CFR 1942-A, 1942-C, and 3570-B, into a new regulation, 7 CFR 3570-A. This new regulation will be used to administer the Community Facilities Direct Loan and Grant programs. It also will incorporate the Tribal College and Economic Impact Initiative grant programs. The existing regulations 7 CFR 1942-A, 7 CFR 1942-C, and 7 CFR 3570-B will be obsolete upon publication of the new 7 CFR 3570-A. The proposed action includes the following: remove references to the RUS water and waste disposal program, which was moved to 7 CFR 1780-A in 1997; update scoring priorities to reflect current needs in rural America. \* Incorporate information from staff instructions and guidance that have been renewed and republished for many years. \* Make pre-application optional for small (under \$300,000) projects; clarify and coordinate applicant and project eligibility requirements among the Community Facilities Guarantee, Direct, and Grant regulations; update the regulation to reflect recent legal opinions/determinations; update audit requirements in accordance with the latest OMB directives; and add "Exception Authority" to allow for the granting of exceptions by the Administrator to portions of regulations that are not statutory. The granting of exceptions is allowed in other Rural Development regulations under very defined and controlled circumstances.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1942, subpart A; 7 CFR 1942, subpart C; 7 CFR 3570, subpart B (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2016	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Rural Housing Service (RHS)**

**RIN:** 0575-AD04

**Title:** Amendment To Liquidation Value Appraisals

**Abstract:**

RHS published an Interim final rule on December 9, 2013, which became effective on December 1, 2014. The agency plans to propose a rule amending the liquidation value section of the rule, and providing a 60-day public comment period. The proposed change is to permit lenders to furnish liquidation value appraisals instead of the Agency obtaining one. The change will save lenders at least 41 days in receiving payment for their loss claim submissions, and will save the agency staff time.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 3555 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** The Housing Act of 1949, as amended. [Pub. L. 171, 81st Cong., 63 Stat. 432; 42 U.S.C. 1471 et. seq.]

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Rule	10/06/2015	80 FR 60298
Proposed Rule Comment Period End	12/07/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Rural Housing Service (RHS)**

**RIN:** 0575-AC13

**Title:** Multi-Family Housing (MFH) Reinvention

**Abstract:**

The Rural Housing Service has consolidated and streamlined the regulations pertaining to section 515, Rural Rental Housing, section 514, Farm Labor Housing Loans, section 516, Farm Labor Housing Grants, and section 521, Rental Assistance Payments. As in the interim final rule, 14 published regulations have been reduced to one regulation and handbooks for program administration. This will simplify loan origination and portfolio management for applicants, borrowers, and housing operators, as well as Rural Development field staff. This also provides flexibility for program modifications to reflect current and foreseeable changes. The consolidated regulations save time and simplify costs. Finally, the regulation is more customer-friendly and responsive to the needs of the public.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1806; 7 CFR 1822; 7 CFR 1902; 7 CFR 1925; 7 CFR 1930; 7 CFR 1940; 7 CFR 1942; 7 CFR 1944; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1965; 7 CFR 3560; 7 CFR 3565 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 301; 42 U.S.C. 1490a; 7 U.S.C. 1989; 42 U.S.C. 1475; 42 U.S.C. 1479; 42 U.S.C. 1480; 42 U.S.C. 1481; 42 U.S.C. 1484; 42 U.S.C. 1485; 42 U.S.C. 1486

**Legal Deadline:** None

## Timetable:

Action	Date	FR Cite
NPRM	06/02/2003	68 FR 32872
NPRM Comment Period End	08/01/2003	
Interim Final Rule	11/26/2004	69 FR 69032
Interim Final Rule Comment Period End	12/27/2004	
Interim Final Rule Effective	02/22/2005	70 FR 8503
Final Rule	06/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Rural Housing Service (RHS)

RIN: 0575-AC56

Title: Environmental Policies and Procedures

## Abstract:

The Rural Development program is seeking to consolidate, simplify, and update all Agency environmental requirements into a common environmental regulation. This Rural Development regulation will replace 7 CFR 1794; the current utilities environmental regulation, 7 CFR 1940-G; the current housing/business environmental regulation, 7 CFR 1901-F; the current historic preservation regulation; and 7 CFR part 1940-J, the current intergovernmental review regulation. This consolidation effort will produce a single user-friendly tool to help the program constituents, rural communities, and Rural Development staff, as well as bring the environmental requirements of Agency actions in line with the environmental requirements of other Federal programs for similar actions. This rule consists of subparts A through O.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 7 CFR 1794; 7 CFR 1901-F; 7 CFR 1940-G (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480

Legal Deadline: None

## Timetable:

Action	Date	FR Cite
NPRM	02/04/2014	79 FR 6740
NPRM Comment Period End	04/07/2014	
Final Action	12/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)

Rural Housing Service (RHS)

RIN: 0575-AC93

Title: Civil Monetary Penalties

## Abstract:

The Rural Housing Service (RHS) published a proposed rule (68 FR 32872) on June 2, 2003, to streamline and consolidate 14 regulations into 7 CFR 3560, which sets forth requirements, policies, and procedures for originating, processing, and servicing Rural Development's Multi-Family Housing (MFH) direct loans and grants. Title V of the Housing Act of 1949 authorizes the programs covered by this part. An interim rule (69 FR 69032-69176) was published November 28, 2004, to implement those changes, with an effective date of February 24, 2005. As part of the implementation of the interim rule, Civil monetary penalties (CMP) were included as an enforcement provision in section 3560.641(b). RHS proposes to amend its regulations to create a new section for imposing civil monetary penalties under the authority of 42 U.S.C. 1490s (section 543 of the Housing Act of 1949, as amended (Act)) (Housing Act CMP). RHS also proposes to adopt the USDA civil monetary penalty provisions for the Program Fraud Civil Remedies Act of 1986 (PFCRA) in a revision to an existing section (PFCRA CMP). The new section will include an amended version of the existing Housing Act CMP provision together with additional language providing procedural guidance.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 7 CFR 3560-J (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 42 U.S.C. 1490s

Legal Deadline: None

## Timetable:

Action	Date	FR Cite
Proposed Rule	01/04/2013	78 FR 672
Final Action	11/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Joan Atkinson

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**Department of Agriculture (USDA)****Rural Housing Service ( RHS )****RIN:** 0575-AC96**Title:** Rural Development Voucher Program**Abstract:**

The Rural Development Voucher Program was created as a demonstration program by Congress to offer protection to eligible multifamily housing tenants in properties financed through Rural Development's section 515 Rural Rental Housing Program who may be subject to economic hardship through prepayment or foreclosure of the Rural Development mortgage. The Housing Act of 1949, as amended by the Consolidated Appropriations Act, 2005 (Pub. L. 108-447) (the Act) states: "To such extent or in such amounts as are approved in appropriation Acts, the Secretary shall carry out a rural housing voucher program to assist very low-income families and persons to reside in rental housing in rural areas." The Rural Housing Service (RHS) published a proposed rule August 14, 2013 (78 FR 49374), that would add new permanent regulations to implement this program. This rule will provide procedural guidance for the Rural Development Voucher Program.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 3560 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 42 U.S.C. 1490r; Pub. L. 108-447, sec 542**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Rule	08/14/2013	78 FR 49374
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephanie White

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**Department of Agriculture (USDA)****Rural Housing Service ( RHS )****RIN:** 0575-AC98**Title:** Multi-Family Housing Financial Reporting**Abstract:**

The Rural Housing Service (RHS) published a proposed rule June 2, 2003 (68 FR 32872), to streamline and consolidate 14 regulations into 7 CFR 3560, which sets forth requirements, policies, and procedures for originating, processing, and servicing Rural Development's Multi-Family Housing (MFH) direct loans and grants. The programs covered by this part are authorized by title V of the Housing Act of 1949. An interim rule was published November 26, 2004 (69 FR 69032-69176) to implement those changes, with an effective date of February 24, 2005. This proposed rule is to amend the interim rule 7 CFR 3560, regulations to change program requirements at the property level that will reduce operating costs for the project owner by changing financial reporting requirements. Rural Development (RD) is establishing a rule-based reporting threshold, similar to that of U.S. Department of Housing and Urban Development (HUD). RD's Financial Reporting also aligns with HUD's provisions by using a modified version of the "HUD IG Audit Guide."

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 7 CFR 3560-A; 7 CFR 3560-C; 7 CFR 3560-D; 7 CFR 3560-E; 7 CFR 3560-F; 7 CFR 3560-G; 7 CFR 3560-M; 7 CFR 3560-O (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 108-447, sec 543; 42 U.S.C. 1485; 42 U.S.C. 1486; 42 U.S.C. 1490a; 42 U.S.C. 1490j**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Rule	08/06/2015	80 FR 46853
NPRM Comment Period End	10/05/2015	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephanie White

Multi-Family Housing Direct Loans

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**Department of Agriculture (USDA)**  
**Rural Housing Service ( RHS )**

RIN: 0575-AD00

**Title:** Revision of Indemnification, Refinance and Adding a Section Defining "Qualified Mortgage"

**Abstract:**

The Agency seeks to expand its lender indemnification authority for loss claims in the case of fraud, misrepresentation, or noncompliance with applicable loan origination requirements; amend refinance provisions to include a streamlined refinance option that was tested in a successful pilot; and add a section clarifying that any loan guaranteed by the Agency is a "qualified mortgage" under the Dodd-Frank Wall Street Reform and Consumer Protection Act of (Pub. L. 111-203).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 3555 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 301; 42 U.S.C. 1480; subpart E of 7 U.S.C. 1932(a); Pub. L. 111-203

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/05/2015	80 FR 11950
Comment Period End	05/04/2015	
Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**  
**Rural Housing Service ( RHS )**

RIN: 0575-AD02

**Title:** Community Facilities Technical Assistance and Training Grant

**Abstract:**

Section 6006 of the Agricultural Act of 2014 (Act) requires the Agency to create a technical assistance and training grant program. The program will provide funding to public bodies, Indian tribes and nonprofit corporations with experience providing technical assistance to eligible community facilities applicants to carry out the following eligible purposes directly associated with developing or improving essential community facilities: help identify and plan community facility needs; identify public and private resources to finance community facility needs; prepare reports and surveys necessary to request financial assistance to develop community facilities; prepare applications for financial assistance; improve management, including financial management, related to the operation of community facilities; or help with other areas of need identified by Rural Development.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 3575 subpart F (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1926(a), sec 306(a) as amended by Pub. L 11.3-79, title VI, sec 6006

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2015	
Interim Final Rule Comment Period End	01/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; Tribal

**Small Entities Affected:** Governmental Jurisdictions; Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Rural Housing Service ( RHS )**

RIN: 0575-AC07

**Title:** National Flood Insurance Regulations

**Abstract:**

The Rural Housing Service, Rural Business-Cooperative Service, and Rural Utilities Service are rewriting their regulations to conform to the requirements of the National Flood Insurance Reform Act of 1994 (NFIRA) Biggert-Waters Act, Flood Insurance Reform Act, etc.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1926-B; 7 CFR 1806-B (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 4012a; 42 U.S.C. 4104b; 42 U.S.C. 4106; 42 U.S.C. 4128; Pub. L. 91-152; Pub. L. 93-234; Pub. L. 103-325; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Rule	09/00/2017	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Rural Housing Service (RHS)**

**RIN:** 0575-AC99

**Title:** Reserve Account Dual Signature Requirement

**Abstract:**

Through this action, the Rural Housing Service (RHS) proposes to amend its regulation at 7 CFR section 3560.306 to change the requirements of the Reserve Account for the section 515 Rural Rental Housing (RRH) program. The action would address reserve account requirements of requiring an Agency countersignature with the borrower when a section 538 guaranteed loan is involved and also clarifying that reserve account funds cannot be used to pay for fees associated with the section 538 guarantee loan program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 3560 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 U.S.C. 1480

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/13/2014	79 FR 47383
NPRM Comment Period End	10/14/2014	
Final Rule	06/17/2015	80 FR 34531
Final Rule Effective	08/17/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Natural Resources Conservation Service (NRCS)**

**RIN:** 0578-AA61

**Title:** Agricultural Conservation Easement Program

**Abstract:**

The Agricultural Act of 2014 (the 2014 Act) consolidated the Wetlands Reserve Program (WRP), the Farm and Ranch Lands Protection Program (FRPP), and the Grassland Reserve Program (GRP) into a single Agricultural Conservation Easement Program (ACEP). The consolidated easement program has two components: an agricultural land easement component and a wetland reserve easement component. The agricultural land easement component is patterned after the former FRPP with GRP's land eligibility components merged into it. The wetland reserve easement component is patterned after WRP. Land previously enrolled in the three contributing programs is considered enrolled in the new ACEP.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1468 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:**

Action	Source	Description	Date
Other	Statutory	270 days from enactment of Pub. L. 113-79	11/04/2014

**Regulatory Plan:**

**Statement of Need:**

The Agricultural Act of 2014 (2014 Act) consolidated several of the Title XII (of the Food Security Act of 1985) conservation easement programs and provided for the continued operations of former programs. NRCS promulgated a consolidated conservation easement regulation to reflect the 2014 Act's consolidation of the WRP, FRPP, and GRP programs. This action is needed to respond to comments received.

**Legal Basis:**

NRCS published an interim rule to implement the consolidated conservation easement program. This regulation action is pursuant to section 1246 of the Food Security Act of 1985, as amended by the 2014 Act, which requires regulations necessary to implement title II of the 2014 Act through an interim rule with request for comments.

#### Alternatives:

NRCS determined that rulemaking was the appropriate mechanism through which to implement the 2014 Act consolidation of the three source conservation easement programs. Additionally, NRCS determined that the Agency needs standard criteria for implementing the program and program participants need predictability when initiating an application and conveying an easement. The regulation aims to establish a comprehensive framework for working with program participants to implement ACEP. Upon consideration of public comment, NRCS will promulgate final program regulations.

#### Costs and Benefits:

The 2014 Act has consolidated three conservation easement programs into a single conservation easement program with two components. The program will be implemented under the general supervision and direction of the Chief of NRCS, who is a Vice President of the Commodity Credit Corporation (CCC). Through ACEP, NRCS will continue to purchase wetland reserve easements directly and will contribute funds to eligible entities for their purchase of agricultural land easements that protect working farm and grazing lands. Participation in the program is voluntary.

The primary benefits associated with this rulemaking are the following:

- Provides an opportunity for public comment in program regulations.
- Provides a regulatory framework for NRCS to implement a consolidated conservation easement program.
- Provides transparency to the public potential applicants on NRCS program requirements.

The primary costs imposed by this regulation are the following:

- The costs incurred by private landowners are negative or zero, since this is a voluntary program, and they are compensated for the rights that they transfer.
- Other costs incurred by society through market changes are localized or negligible.

#### Risks:

N/A

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	02/27/2015	80 FR 11032
Interim Final Rule Comment Period End	04/28/2015	
Interim Final Rule Comment Period Reopened	04/30/2015	80 FR 24191
Interim Final Rule Comment Period Reopened End	05/28/2015	
Final Rule	04/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Agriculture (USDA)  
Natural Resources Conservation Service ( NRCS )

RIN: 0578-AA62

**Title:** Environmental Quality Incentives Program (EQIP)

#### Abstract:

The Natural Resources Conservation Service (NRCS) promulgated the current Environmental Quality Incentives Program (EQIP) regulation on January 15, 2009, through an interim rule. The interim rule incorporated programmatic changes authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Act). NRCS published a correction to the interim rule on March 12, 2009, and an amendment to the interim rule on May 29, 2009. NRCS has implemented EQIP in FY 2009 through FY 2013 under the current regulation. The Agricultural Act of 2014 (2014 Act) amended chapter 4 of subtitle D of title XII of the Food Security Act of 1985 by making the following changes to EQIP program requirements: 1) eliminates requirement that contract must remain in place for a minimum of one year after last practice implemented, but keeps requirement that the contract term is not to exceed 10 years; 2) consolidates elements of Wildlife Habitat Incentives Program (WHIP) and repeals WHIP authority; 3) replaces rolling six-year payment limitation with payment limitation for FY 2014-FY 2018; 4) requires Conservation Innovation Grants (CIG) reporting no later than December 31, 2014, and every two years thereafter; 4) establishes payment limitation at \$450,000 and eliminates waiver authority; 5) modifies the special rule for foregone income payments for certain associated management practices and resource concern priorities; 6) makes advance payments available up to 50 percent for eligible historically underserved participants to purchase material or contract services instead of the previous 30 percent; 7) provides flexibility for repayment of advance payment if not expended within 90 days; and 8) requires that for each fiscal year from the FY 2014 to FY 2018, at least 5 percent of available EQIP funds shall be targeted for wildlife-related conservation practices. The 2014 Act further identifies EQIP as a contributing program authorized to accomplish the purposes of the Regional Conservation Partnership Program (RCPP) (subtitle I of title XII of the Food Security Act of 1985, as amended). RCPP replaces the Agricultural Water Enhancement Program (AWEP), Chesapeake Bay Watershed Program (CBWP), Cooperative Conservation Partnership Initiative (CCPI), and the Great Lakes Basin Program for soil erosion and sediment control. Like the programs it replaces, RCPP will operate through regulations in place for contributing programs. The other contributing programs include the Conservation Stewardship Program, the Healthy Forests Reserve Program, and the new Agricultural Conservation Easement Program (ACEP). NRCS published an interim rule to incorporate the 2014 Act changes to EQIP program administration. This regulation action is pursuant to section 1246 of the Food Security Act of 1985, as amended by section 2608 of the 2014 Act, which requires regulations necessary to implement title II of the 2014 Act be promulgated through the interim rule process.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1466 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 15 U.S.C. 714b and 714c; 16 U.S.C. 3839AA-3839-B

**Legal Deadline:**

Action	Source	Description	Date
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Other

Statutory

270 days from enactment of Pub. L. 113-79

11/04/2014

**Regulatory Plan:****Statement of Need:**

The Agricultural Act of 2014 (the 2014 Act) consolidated several of the title XII conservation programs and provided for the continued operations of former programs. NRCS updated the EQIP regulation to incorporate the 2014 Act changes, including consolidation of the purposes formerly addressed through the Wildlife Habitat Incentives Program (WHIP). This action is needed to respond to comments received.

**Legal Basis:**

The 2014 Act has reauthorized and amended the Environmental Quality Incentives Program (EQIP). EQIP was first added to the Food Security Act of 1985 (1985 Act) (16 U.S.C. 3801 et seq) by the Federal Agriculture Improvement and Reform Act of 1996 (1996 Act) (16 U.S.C. 3839aa). The program is implemented under the general supervision and direction of the Chief of NRCS, who is a Vice President of the Commodity Credit Corporation (CCC).

**Alternatives:**

NRCS considered only making the changes mandated by the 2014 Farm Bill. This alternative would have missed opportunities to improve the implementation of the program.

**Costs and Benefits:**

Through EQIP, NRCS provides assistance to farmers and ranchers to conserve and enhance soil, water, air, and related natural resources on their land. Eligible lands include cropland, grassland, rangeland, pasture, wetlands, nonindustrial private forest land, and other agricultural land on which agricultural or forest-related products, or livestock are produced and natural resource concerns may be addressed. Participation in the program is voluntary.

The primary benefits associated with this rulemaking are the following:

- Provides continued consistency for the NRCS to implement EQIP.
- Provides transparency to potential applicants on NRCS program requirements.

The primary costs imposed by this regulation are the following:

- All program participants must follow the same requirements, even though they are very different types of agricultural operations in different resource contexts.
- Most program participants are required to contribute at least 25 percent of the resources needed to implement program practices. However, such costs are standard for such financial assistance programs.

**Risks:**

N/A

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/12/2014	79 FR 73953
Interim Final Rule Effective	12/12/2014	
Interim Final Rule Comment Period End	02/10/2015	
Final Rule	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

**Agency Contact:** Leslie Deavers  
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**Government Levels Affected:** No

**Federalism:** No

**Department of Agriculture (USDA)**  
**Natural Resources Conservation Service ( NRCS )**

RIN: 0578-AA63

**Title:** Conservation Stewardship Program

**Abstract:**

NRCS published an interim rule to incorporate the Agriculture Act of 2014 (the 2014 Act) changes to Conservation Stewardship Program (CSP) program administration. This regulatory action is pursuant to section 1246 of the Food Security Act of 1985 (1985 Act), as amended by the 2014 Act, which requires regulations necessary to implement title II of the 2014 Act through an interim rule with request for comments.

Background: The Food, Conservation, and Energy Act of 2008 Act (2008 Act) amended the 1985 Act to establish CSP and authorized the program in fiscal years 2009 through 2013. The 2014 Act re-authorized and revised CSP. The purpose of CSP is to encourage producers to address priority resource concerns and improve and conserve the quality and condition of the natural resources in a comprehensive manner by (1) undertaking additional conservation activities, and (2) improving, maintaining, and managing existing conservation activities. The Secretary of Agriculture delegated authority to the Chief, Natural Resources Conservation Service (NRCS), to administer CSP. Through CSP, NRCS provides financial and technical assistance to eligible producers to conserve and enhance soil, water, air, and related natural resources on their land. Eligible lands include private or tribal cropland, grassland, pastureland, rangeland, non-industrial private forest lands, and other land in agricultural areas (including cropped woodland, marshes, and agricultural land capable of being used for the production of livestock) on which resource concerns related to agricultural production could be addressed. Participation in the program is voluntary. CSP encourages land stewards to improve their conservation performance by installing and adopting additional activities, and improving, maintaining, and managing existing activities on eligible land. NRCS makes funding for CSP available nationwide on a continuous application basis.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

Major: No Unfunded Mandates: No

CFR Citation: 7 CFR 1470 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 U.S.C. 3838d to 3838g

Legal Deadline: None

**Regulatory Plan:**

**Statement of Need:**

The Agricultural Act of 2014 (the 2014 Act) amended several of the title XII conservation programs and provided for the continued operations of former programs. NRCS updated the CSP regulation to incorporate the 2014 Act changes. This action is responds to comments received.

**Legal Basis:**

The 2014 Act has reauthorized and amended the Conservation Stewardship Program (CSP). CSP was first added to the Food Security Act of 1985 (1985 Act) (16 U.S.C. 3801 et seq.) by the Food, Conservation, and Energy Act of 2008. The program is implemented under the general supervision and direction of the Chief of NRCS, who is a Vice President of the Commodity Credit Corporation (CCC).

**Alternatives:**

NRCS considered only making the changes mandated by the 2014 Farm Bill. This alternative would have missed opportunities to improve the implementation of the program. NRCS would consider alternatives suggested during the public comment period.

**Costs and Benefits:**

CSP is a voluntary program that encourages agricultural and forestry producers to address priority resource concerns by (1) undertaking additional conservation activities and (2) improving and maintaining existing conservation systems. CSP provides financial and technical assistance to help land stewards conserve and enhance soil, water, air, and related natural resources on their land.

CSP is available to all producers, regardless of operation size or crops produced, in all 50 States, the District of Columbia, and the Caribbean and Pacific Island areas. Eligible lands include cropland, grassland, prairie land, improved pastureland, rangeland, nonindustrial private forest land, and agricultural land under the jurisdiction of an Indian tribe. Applicants may include individuals, legal entities, joint operations, or Indian tribes.

CSP pays participants for conservation performance, the higher the performance, the higher the payment. It provides two possible types of payments. An annual payment is available for installing new conservation activities and maintaining existing practices. A supplemental payment is available to participants who also adopt a resource conserving crop rotation.

Through five-year contracts, NRCS makes payments as soon as practical after October 1 of each fiscal year for contract activities installed and maintained in the previous year. A person or legal entity may have more than one CSP contract but, for all CSP contracts combined, may not receive more than \$40,000 in any year or more than \$200,000 during any five-year period.

The primary benefits associated with this rulemaking are the following:

- Provides continued consistency for the NRCS to implement CSP.
- Provides transparency to potential applicants on NRCS program requirements.

The primary costs imposed by this regulation are that all program participants must follow the same basic programmatic requirements, even though they are very different types of agricultural operations in different resource contexts.

The 2014 Act further identifies CSP as a contributing program authorized to accomplish the purposes of the Regional Conservation Partnership Program (RCP) (subtitle I of title XII of the Food Security Act of 1985, as amended). RCP replaces the Agricultural Water Enhancement Program (AWEP), Chesapeake Bay Watershed Program (CBWP), Cooperative Conservation Partnership Initiative (CCPI), and the Great Lakes Basin Program for soil erosion and sediment control. Like the programs it replaces, RCP will operate through regulations in place for contributing programs. The other contributing programs include the Environmental Quality Incentives Program, the Healthy Forests Reserve Program, and the new Agricultural Conservation Easement Program (ACEP).

**Risks:**

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/05/2014	79 FR 65835
Interim Final Rule Effective	11/05/2014	
Interim Final Rule Comment Period End	01/05/2015	
Final Rule	03/00/2016	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

Agency Contact: Leslie Deavers  
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Government Levels Affected: No

Federalism: No

**Department of Agriculture (USDA)**  
**Natural Resources Conservation Service ( NRCS )**

RIN: 0578-AA57

**Title:** NRCS Procedures for Granting Equitable Relief

**Abstract:**

Section 1613 of the Farm Security and Rural Investment Act of 2002 authorized the Natural Resources Conservation Service (NRCS) to provide equitable relief from program ineligibility to participants in covered programs. This authority was effective May 12, 2002. NRCS published a final rule (69 FR 56345) on September 21, 2004, to implement the equitable relief provisions. In order for a participant to obtain equitable relief, NRCS, at 7 CFR 635.7 (b), provided that: "[P]articipants may request equitable relief from the Chief or the State Conservationist with respect to: (1) Reliance on the actions or advice of an authorized NRCS representative; or (2) Failure to fully comply with the program requirements but made a good faith effort to comply." The final rule made no distinction between the two bases for relief in providing regulatory guidance for obtaining such relief. NRCS is amending part of the equitable relief application procedure in 7 CFR 635.7 based on feedback received from participants and NRCS employees over the course of implementing equitable relief since rule publication in 2004. Participants were being required to initiate the request for equitable relief when the source of the violation or ineligibility was NRCS' erroneous advice or action even when the State Conservationist was fully aware of this fact. Participants and employees commented that NRCS was creating an additional burden by mandating that only a participant could request relief when an NRCS employee had provided incorrect information or actions detrimentally relied upon by a participant. NRCS is addressing this concern by amending the procedures for requesting equitable relief when a participant has, in good faith, detrimentally relied upon incorrect actions or advice from an NRCS employee. In particular, this rulemaking provides that the State Conservationist may initiate equitable relief in lieu of the participant when the State Conservationist finds that the NRCS action or advice has detrimentally harmed a participant in a covered program. This rulemaking does not change the participant's ability to originate such a relief request. Other minor revisions are being made to the rule in support of this change.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 635; 7 CFR 11; Pub. L. 107-171 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 7996

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Rule	10/16/2015	80 FR 62439
Final Rule Effective	10/16/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Ed Nilson

National Appeals and Equitable Relief Specialist

Department of Agriculture

Natural Resources Conservation Service

NRCS - GWCC, 5601 Sunnyside Avenue, Room 1-1116D

Beltsville, MD 20705

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**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AE15

**Title:** Importation, Interstate Movement, and Release Into the Environment of Certain Genetically Engineered Organisms

**Abstract:**

USDA uses science-based regulatory systems to allow for the safe development, use, and trade of products derived from new agricultural technologies. USDA continues to regulate the importation, interstate movement, and field-testing of newly developed **genetically engineered (GE) organisms** that qualify as regulated articles<sup>2</sup> to ensure they do not pose a threat to plant health before they can be commercialized. These science-based evaluations facilitate the safe introduction of new agricultural production options and enhance public and international confidence in these products. As a part of this effort, the Animal and Plant Health Inspection Service (APHIS) will publish a proposed rule to revise its regulations and align them with current authorizations by incorporating the noxious weed authority and regulate GE organisms that pose plant pest or weed risks in a manner that balances oversight and risk, and that is based on the best available science. The regulatory framework being developed will enable more focused, risk-based regulation of GE organisms that pose plant pest or noxious weed risks and will implement regulatory requirements only to the extent necessary to achieve the APHIS protection goal.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** PreRule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 340 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

**Legal Basis:**

**Alternatives:**

**Costs and Benefits:**

**Risks:**

**Timetable:**

Action	Date	FR Cite
Notice of Intent to Prepare an Environmental Impact Statement	11/00/2015	
NPRM	07/00/2016	
NPRM Comment Period End	09/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Local; State

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Andrea Huberty

Branch Chief, Policy, Program, and Regulatory Consultation Branch, Policy Coordination Program, BRS

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Animal and Plant Health Inspection Service  
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Riverdale, MD 20737-1236  
Phone: 301 851-3880

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AB24

**Title:** Animal Welfare: Marine Mammals; Nonconsensus Language and Interactive Programs

**Abstract:**

This rulemaking would amend the Animal Welfare Act regulations concerning the humane handling, care, treatment, and transportation of marine mammals in captivity. These proposed changes would affect sections in the regulations relating to variances and implementation dates, indoor facilities, outdoor facilities, space requirements, and water quality. We are also proposing to revise the regulations that relate to swim-with-the-dolphin programs. We believe these actions are necessary to ensure that the minimum standards for the humane handling, care, treatment, and transportation of marine mammals in captivity are based on current industry and scientific knowledge and experience.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 1; 9 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 2131 to 2159

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	05/30/2002	67 FR 37731
ANPRM Comment Period End	07/29/2002	
NPRM	11/00/2015	
NPRM Comment Period End	01/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**Agency Contact:** Barbara Kohn  
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**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AC60

**Title:** National Environmental Policy Act Implementing Procedures

**Abstract:**

We are proposing to amend the regulations that set out our National Environmental Policy Act (NEPA) implementing procedures. The amendments would clarify when we would complete an environmental impact statement or an environmental analysis for an action, provide additional categories of actions for which we would prepare such documents, expand the list of actions subject to categorical exclusion from further environmental documentation, and set out an environmental documentation process that could be used in emergencies. The proposed changes are intended to update the regulations and improve their clarity and effectiveness.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 372 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 42 U.S.C. 4321 et seq.

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	
NPRM Comment Period End	05/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Agency Contact:** Elizabeth Nelson  
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**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AC92

**Title:** Scrapie in Sheep and Goats

**Abstract:**

This rulemaking would amend the scrapie regulations by changing the risk groups and categories established for individual animals and for flocks. It would simplify, reduce, or remove certain recordkeeping requirements. This action would provide designated scrapie epidemiologists with more alternatives and flexibility when testing animals in order to determine flock designations under the regulations. It would also make the identification and recordkeeping requirements for goat owners consistent with those for sheep owners. These changes would affect sheep and goat producers and State governments.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 54; 9 CFR 79 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 8301 to 8317

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/10/2015	80 FR 54659
NPRM Comment Period End	11/09/2015	
Final Action	07/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** State

**Federalism:** No

**Agency Contact:** Diane Sutton

Sheep, Goat, Cervid, and Equine Health Center; Surveillance, Preparedness, and Response Services, VS

Department of Agriculture

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Phone: 301 851-3509

**Department of Agriculture (USDA)**

**Animal and Plant Health Inspection Service ( APHIS )**

**RIN:** 0579-AC98

**Title:** Plant Pest Regulations; Update of General Provisions

**Abstract:**

We are proposing to revise our regulations regarding the movement of plant pests. We are proposing criteria regarding the movement and environmental release of biological control organisms, and are proposing to establish regulations to allow the importation and movement in interstate commerce of certain types of plant pests without restriction by granting exceptions from permitting requirements for those pests. We are also proposing to revise our regulations regarding the movement of soil. This proposed rule replaces a previously published proposed rule, which we are withdrawing as part of this document. This proposal would clarify the factors that would be considered when assessing the risks associated with the movement of certain organisms and facilitate the movement of regulated organisms and articles in a manner that also protects U.S. agriculture.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 318 and 319; 7 CFR 330; 7 CFR 352 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 2260; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8817; 19 U.S.C. 136; 21 U.S.C. 111; 21 U.S.C. 114a; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Notice of Intent To Prepare an Environmental Impact Statement	10/20/2009	74 FR 53673
Notice Comment Period End	11/19/2009	
NPRM	04/00/2016	
NPRM Comment Period End	06/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business; Organizations

**Government Levels Affected:** Local; State; Tribal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Shirley Wager-Page

Chief, Pest Permitting Branch, Plant Health Programs, PPQ

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Riverdale, MD 20737-1236

Phone: 301 851-2323

**Department of Agriculture (USDA)**

**Animal and Plant Health Inspection Service ( APHIS )**

**RIN:** 0579-AD10

**Title:** Bovine Spongiform Encephalopathy and Scrapie; Importation of Small Ruminants and Their Germplasm, Products, and Byproducts

**Abstract:**

This rulemaking would amend the bovine spongiform encephalopathy (BSE) and scrapie regulations regarding the importation of live sheep, goats, and wild ruminants and their embryos, semen, products, and byproducts. The proposed scrapie revisions regarding the importation of sheep, goats, and susceptible wild ruminants for other than immediate slaughter are similar to those recommended by the World Organization for Animal Health in restricting the importation of such animals to those from scrapie-free regions or certified scrapie-free flocks.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 93 to 96; 9 CFR 98 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 1622; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	
NPRM Comment Period End	05/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Federal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Langston Hull

Senior Staff Veterinary Medical Officer, Animal Permitting and Negotiating Services, VS

Department of Agriculture

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4700 River Road, Unit 39

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Phone: 301 851-3300

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**Department of Agriculture (USDA)**

**Animal and Plant Health Inspection Service ( APHIS )**

**RIN:** 0579-AD65

**Title:** Brucellosis and Bovine Tuberculosis; Update of General Provisions

**Abstract:**

This rulemaking would consolidate the regulations governing bovine tuberculosis (TB), currently found in 9 CFR part 77, and those governing brucellosis, currently found in 9 CFR part 78. As part of this consolidation, we are proposing to transition the TB and brucellosis programs away from a State status system based on disease prevalence. Instead, States and tribes would implement an animal health plan that identifies sources of the diseases within the State or tribe and specifies mitigations to address the risk posed by these sources. The consolidated regulations also would set forth standards for surveillance, epidemiological investigations, and affected herd management that must be incorporated into each animal health plan, with certain limited exceptions; conditions for the interstate movement of cattle, bison, and captive cervids; and conditions for APHIS approval of tests for bovine TB or brucellosis. Finally, the rulemaking would revise the import requirements for cattle and bison to make these requirements clearer and ensure that they more effectively mitigate the risk of introduction of the diseases into the United States.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 50 and 51; 9 CFR 71; 9 CFR 76 to 78; 9 CFR 86; 9 CFR 93; 9 CFR 161 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1622; 7 U.S.C. 8301 to 8317; 15 U.S.C. 1828; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business; Governmental Jurisdictions

**Government Levels Affected:** Local; State; Tribal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Langston Hull

Senior Staff Veterinary Medical Officer, Animal Permitting and Negotiating Services, VS

Department of Agriculture

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Department of Agriculture

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**Department of Agriculture (USDA)**

**Animal and Plant Health Inspection Service ( APHIS )**

**RIN:** 0579-AD99

**Title:** Animal Welfare; Establishing De Minimis Exemptions From Licensing

**Abstract:**

In the 2014 Farm Bill, Congress amended the Animal Welfare Act (AWA) to provide the Secretary of Agriculture with the authority to determine what facilities and activities involving AWA regulated animals are de minimis and therefore exempt from licensure and oversight. We are proposing to amend the AWA regulations to enact this new provision. This change would provide APHIS with the flexibility to exempt from licensing those dealers and exhibitors who provide adequate levels of humane care to their animals, allowing us to target our enforcement resources where they are most needed. Dealers and exhibitors operating at or below the threshold would be exempted from APHIS licensing and oversight under the AWA.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 1 to 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 2131 to 2159

**Legal Deadline:** None

## Timetable:

Action	Date	FR Cite
NPRM	03/00/2016	
NPRM Comment Period End	06/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Business

**Agency Contact:** Rachel Cezar

Senior Staff Veterinarian, Animal Care

Department of Agriculture

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Riverdale, MD 20737

Phone: 301 851-3746

**Government Levels Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**
**Animal and Plant Health Inspection Service ( APHIS )**
**RIN: 0579-AD28**


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**Title:** Importation of Wood Packaging Material From Canada

**Abstract:**

This rulemaking will amend the regulations for the importation of unmanufactured wood articles to remove the exemption that allows wood packaging material from Canada to enter the United States without first meeting the treatment and marking requirements of the regulations that apply to wood packaging material from all other countries. This action is necessary in order to prevent the dissemination and spread of pests via wood packaging material from Canada.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 7 CFR 319 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Final Rule

**Unfunded Mandates:** No

## Timetable:

Action	Date	FR Cite
NPRM	12/02/2010	75 FR 75157
NPRM Comment Period End	01/31/2011	
Final Rule	03/00/2016	
Final Action Effective	04/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** John Tyrone Jones

Trade Director, Forestry Products, Phytosanitary Issues Management, PPQ

Department of Agriculture

Animal and Plant Health Inspection Service

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Phone: 301 851-2344

**Government Levels Affected:** Federal

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**Department of Agriculture (USDA)**
**Animal and Plant Health Inspection Service ( APHIS )**
**RIN: 0579-AD60**


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**Title:** Treatment of Firewood and Spruce Logs Imported From Canada

**Abstract:**

This rulemaking will amend the regulations to require firewood of all species imported from Canada, including treated lumber (furniture scraps) sold as kindling, and all spruce logs imported from Nova Scotia to be heat-treated and to be accompanied by either a certificate of treatment or an attached commercial treatment label. This action is necessary on an immediate basis to prevent the artificial spread of pests, including emerald ash borer, Asian longhorned beetle, gypsy moth, European spruce bark beetle, and brown spruce longhorn beetle to noninfested areas of the United States, and to prevent further introduction of these pests into the United States.

**Priority:** Other Significant

**Major:** No

**CFR Citation:** 7 CFR 319 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

**Legal Deadline:** None

**Agenda Stage of Rulemaking:** Final Rule

**Unfunded Mandates:** No

## Timetable:

Action	Date	FR Cite
Interim Final Rule	02/00/2016	
Interim Final Rule Comment Period End	04/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** John Tyrone Jones

Trade Director, Forestry Products, Phytosanitary Issues Management, PPQ

Department of Agriculture

**Government Levels Affected:** Federal

Animal and Plant Health Inspection Service  
4700 River Road, Unit 140  
Riverdale, MD 20737-1231  
Phone: 301 851-2344

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD71

**Title:** Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables

**Abstract:**

This rulemaking will amend our regulations governing the importations of fruits and vegetables by broadening our existing performance standard to provide for consideration of all new fruits and vegetables for importation into the United States using a notice-based process. Rather than authorizing new imports through proposed and final rules and specifying import conditions in the regulations, the notice-based process uses Federal Register notices to make risk analyses available to the public for review and comment, with authorized commodities and their conditions of entry subsequently being listed on the Internet. It also will remove the region- or commodity-specific phytosanitary requirements currently found in these regulations. Likewise, we are proposing an equivalent revision of the performance standard in our regulations governing the interstate movements of fruits and vegetables from Hawaii and the U.S. territories (Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) and the removal of commodity-specific phytosanitary requirements from those regulations. This action will allow for the consideration of requests to authorize the importation or interstate movement of new fruits and vegetables in a manner that enables a more flexible and responsive regulatory approach to evolving pest situations in both the United States and exporting countries. It will not, however, alter the science-based process in which the risk associated with importation or interstate movement of a given fruit or vegetable is evaluated or the manner in which risks associated with the importation or interstate movement of a fruit or vegetable are mitigated.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 318 and 319 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/2014	79 FR 53346
NPRM Comment Period End	11/10/2014	
NPRM Comment Period Reopened	12/04/2014	79 FR 71973
NPRM Comment Period End	01/09/2015	
NPRM Comment Period Reopened	02/06/2015	80 FR 6665
NPRM Comment Period End	03/10/2015	
Final Rule	03/00/2016	
Final Rule Effective	05/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Federal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Nicole Russo

Assistant Director, Regulatory Coordination and Compliance, PPQ

Department of Agriculture

Animal and Plant Health Inspection Service

4700 River Road, Unit 133

Riverdale, MD 20737-1236

Phone: 301 851-2159

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AE14

**Title:** Conditions for Payment of Highly Pathogenic Avian Influenza Indemnity Claims

**Abstract:**

This rulemaking would amend the regulations pertaining to certain diseases of livestock and poultry to specify conditions for payment of indemnity claims for highly pathogenic avian influenza (HPAI). Specifically, it would provide a formula that will allow us to split such payments between poultry and egg owners and parties with which the owners enter into contracts to raise or care for the eggs or poultry based on the proportion of the production cycle completed. This action is necessary to ensure that all contractors are compensated appropriately. It would also provide for the payment of indemnity for eggs required to be destroyed due to HPAI, thus codifying an existing policy. Finally, it would require owners and contractors, unless specifically exempted, to provide a statement that at the time of detection of HPAI in their facilities, they had in place and were following a biosecurity plan aimed at keeping HPAI from spreading to commercial premises. This requirement is intended to prevent the introduction of HPAI into commercial facilities due to substandard biosecurity practices.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 53 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 8301 to 8317

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2015	
Interim Final Rule Comment Period End	02/00/2016	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Agency Contact:** Troy Bigelow

Senior Staff Veterinarian, Surveillance, Preparedness and Response Services, VS

Department of Agriculture

Animal and Plant Health Inspection Service  
Federal Building, Room 891, 210 Walnut Street  
Des Moines, IA 50309  
Phone: 515 284-4121

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AC31

**Title:** Introduction of Organisms and Products Altered or Produced Through Genetic Engineering

**Abstract:**

We are withdrawing a proposed rule that would have amended the regulations regarding the introduction (importation, interstate movement, and environmental release (field testing)) of certain genetically engineered organisms. We are doing this because of the experience we have gained over the past 28 years, continuing advances in biotechnology, and comments we received on the rule. We will begin a fresh stakeholder engagement to explore alternative policy approaches. This engagement will begin with a series of webinars that will provide the stakeholder community an opportunity to provide initial feedback. Information on these webinars will be announced in the coming month.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 340 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Notice of Intent to Prepare an Environmental Impact Statement	01/23/2004	69 FR 3271
Comment Period End	03/23/2004	
Notice of Availability of Draft Environmental Impact Statement	07/17/2007	72 FR 39021
Comment Period End	09/11/2007	
NPRM	10/09/2008	73 FR 60007
Correction	11/10/2008	73 FR 66563
NPRM Comment Period End	11/24/2008	
NPRM Comment Period Reopened	01/16/2009	74 FR 2907
NPRM Comment Period End	03/17/2009	
NPRM; Notice of Public Scoping Session	03/11/2009	74 FR 10517
NPRM Comment Period Reopened	04/13/2009	74 FR 16797
NPRM Comment Period End	06/29/2009	
NPRM-Withdrawn	03/04/2015	80 FR 11598
NPRM Withdrawn Effective	03/04/2015	80 FR 11598

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Chessa Huff-Woodard

Biotechnology Regulatory Services  
Department of Agriculture  
Animal and Plant Health Inspection Service  
4700 River Road, Unit 146  
Riverdale, MD 20737-1236  
Phone: 301 851-3943

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD41

**Title:** Importation of Beef From a Region in Brazil

**Abstract:**

This rulemaking amends the regulations governing the importation of certain animals, meat, and other animal products by allowing, under certain conditions, the importation of fresh (chilled or frozen) beef from a region in Brazil (the States of Bahia, Distrito Federal, Espírito Santo, Goiás, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Paraná, Rio Grande do Sul, Rio de Janeiro, Rondônia, São Paulo, Sergipe, and Tocantins). Based on the evidence in a recent risk assessment, we have determined that fresh (chilled or frozen) beef can be safely imported from those Brazilian States provided certain conditions are met. This action provides for the importation of beef from the designated region in Brazil into the United States while continuing to protect the United States against the introduction of foot-and-mouth disease.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 94 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/2013	78 FR 77370
NPRM Comment Period End	02/21/2014	
NPRM Comment Period Reopened	02/27/2014	79 FR 10999
NPRM Comment Period Reopened End	04/22/2014	79 FR 10999
Final Rule	07/02/2015	80 FR 37923
Final Rule Effective	08/31/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No**Energy Affected:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Silvia Kreindel  
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Phone: 301 851-3313

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD64

**Title:** Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products**Abstract:**

This rulemaking amends the Virus-Serum-Toxin Act regulations to provide for the use of a simpler labeling format that would better communicate product performance to the user. Under this rulemaking, the previous label format, which reflected any of four different levels of effectiveness, is replaced with a single, uniform label format. We are also requiring biologics licensees to provide a standardized summary, with confidential business information removed, of the efficacy and safety data submitted to the Animal and Plant Health Inspection Service in support of the issuance of a full product license or conditional license. A simpler label format, along with publicly available safety and efficacy data, will help biologics producers to more clearly communicate product performance to their customers.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 112 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 21 U.S.C. 151 to 159**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	05/24/2011	76 FR 30093
Comment Period End	07/25/2011	
NPRM	04/21/2014	79 FR 22048
NPRM Comment Period End	06/20/2014	
Final Rule	07/10/2015	80 FR 39669
Final Rule Effective	09/08/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** No**Federalism:** No

**Agency Contact:** Donna L Malloy  
Operational Support Section, Center for Veterinary Biologics, Policy, Evaluation, and Licensing, VS  
Department of Agriculture  
Animal and Plant Health Inspection Service  
4700 River Road, Unit 148  
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Phone: 301 851-3426

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD66

**Title:** Viruses, Serums, Toxins, and Analogous Products; Exemptions From Preparation Pursuant to an Unsuspended and Unrevoked License**Abstract:**

This rulemaking amends the Virus-Serum-Toxin Act regulations to require that veterinary biologics prepared under the veterinary practitioner exemption must be prepared at the same facility the veterinarian utilizes in conducting the day-to-day activities associated with his or her practice. This exemption applies to veterinary biologics prepared by a veterinary practitioner solely for administration to animals in the course of a State-licensed professional practice of veterinary medicine under a veterinarian-client-patient relationship. This rule is necessary to ensure that veterinary biologics are not prepared in unlicensed establishments in violation of the Virus-Serum-Toxin Act and to clarify the regulations regarding the preparation of product by a veterinary practitioner under a veterinarian-client-patient relationship.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 107 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 21 U.S.C. 151 to 159**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/18/2012	77 FR 42195
NPRM Comment Period End	09/17/2012	
NPRM Comment Period Reopened	09/20/2012	77 FR 58323
NPRM Comment Period Reopened End	11/16/2012	77 FR 58323
Final Rule	05/11/2015	80 FR 26819
Final Rule Effective	07/10/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Donna L Malloy

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 Animal and Plant Health Inspection Service  
 4700 River Road, Unit 148  
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 Phone: 301 851-3426

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD68

**Title:** Importation of Papayas From Peru

**Abstract:**

This rulemaking amends the regulations to allow, under certain conditions, the importation of commercial consignments of fresh papayas from Peru into the continental United States. The conditions for the importation of papayas from Peru will include requirements for approved production locations; field sanitation; hot water treatment; procedures for packing and shipping the papayas; and fruit fly trapping in papaya production areas. This action allows for the importation of papayas from Peru while continuing to provide protection against the introduction of quarantine pests into the continental United States.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 319 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/09/2013	78 FR 48628
NPRM Comment Period End	10/08/2013	
Final Rule	04/24/2015	80 FR 22885
Final Rule Effective	05/26/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Dorothy C Wayson

Senior Regulatory Coordination Specialist, Regulatory Coordination and Compliance, PPQ

Department of Agriculture

Animal and Plant Health Inspection Service

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Riverdale, MD 20737-1231

Phone: 301 851-2036

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD77

**Title:** User Fees for Agricultural Quarantine and Inspection Services

**Abstract:**

This rulemaking will amend the user fee regulations by adding new fee categories and adjusting current fees charged for certain agricultural quarantine and inspection services that are provided in connection with certain commercial vessels, commercial trucks, commercial railroad cars, commercial aircraft, and international passengers arriving at ports in the customs territory of the United States. It also will adjust the fee caps associated with commercial vessels, commercial trucks, and commercial railcars. Based on the conclusions of a third party assessment of the user fee program and on other considerations, we have determined that revised user fee categories and revised user fees are necessary to recover the costs of the current level of activity, to account for actual and projected increases in the cost of doing business, and to more accurately align fees with the costs associated with each fee service.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 354 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 49 U.S.C. 80503

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/2014	79 FR 22895
NPRM Comment Period End	06/24/2014	
NPRM Comment Period Reopened	07/01/2014	79 FR 37231
NPRM Comment Period Reopened End	07/24/2014	
Final Rule	10/29/2015	80 FR 66747
Final Rule Effective	12/28/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** Federal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** William E Thomas

Senior Agriculturist, Office of the Deputy Administrator, PPQ

Department of Agriculture

Animal and Plant Health Inspection Service

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Riverdale, MD 20737

Phone: 301 851-2306

**Agency Contact:** Kris Caraher  
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Riverdale, MD 20737  
Phone: 301 851-2384

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service (APHIS)**

RIN: 0579-AD89

**Title:** Importation of Apples From China

**Abstract:**

This rulemaking amends the fruits and vegetables regulations to allow the importation of fresh apples (*Malus pumila*) from China into the continental United States. As a condition of entry, apples from areas in China in which the Oriental fruit fly (*Bactrocera dorsalis*) is not known to exist will have to be produced in accordance with a systems approach that includes requirements for registration of places of production and packinghouses, inspection for quarantine pests at set intervals by the national plant protection organization of China, bagging of fruit, safeguarding, labeling, and importation in commercial consignments. Apples from areas in China in which Oriental fruit fly is known to exist may be imported into the continental United States if, in addition to these requirements, the apples are treated with fumigation plus refrigeration. All apples from China will also be required to be accompanied by a phytosanitary certificate with an additional declaration stating that all conditions for the importation of the apples have been met and that the consignment of apples has been inspected and found free of quarantine pests. This action allows for the importation of apples from China into the continental United States while continuing to provide protection against the introduction of quarantine pests.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 319 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/18/2014	79 FR 41930
NPRM Comment Period End	09/16/2014	
Final Rule	04/23/2015	80 FR 22619
Final Rule Effective	05/26/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** David B Lamb  
Senior Regulatory Policy Specialist, RPM, PPQ  
Department of Agriculture  
Animal and Plant Health Inspection Service  
4700 River Road, Unit 133  
Riverdale, MD 20737-1231  
Phone: 301 851-2018

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service (APHIS)**

RIN: 0579-AD91

**Title:** Cattle Fever Tick; Importation Requirements for Ruminants From Mexico

**Abstract:**

This rulemaking amends the regulations to recognize the State of Sonora as a region in Mexico that is free of fever ticks. It also establishes an exemption from acaricide dipping treatment requirements, and the documentation requirements associated with such dipping, that were formerly applicable to cattle and other ruminants originating from Sonora as a condition of eligibility for entry to the United States, provided that certain conditions are met. This action removes restrictions on the importation of cattle and other ruminants from Sonora that we believe are no longer necessary and reduce the costs associated with tick dipping for exporters and importers of ruminants.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 93 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 1622; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/2014	79 FR 41652
NPRM Comment Period End	09/15/2014	
Final Rule	02/26/2015	80 FR 10323
Final Rule Effective	03/30/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Betzaida Lopez  
Senior Staff Veterinarian, National Import Export Services, VS  
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Animal and Plant Health Inspection Service

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Phone: 301 851-3300

**Department of Agriculture (USDA)**  
**Animal and Plant Health Inspection Service ( APHIS )**

RIN: 0579-AD92

**Title:** Importation of Beef From a Region in Argentina

**Abstract:**

This rulemaking amends the regulations governing the importation of certain animals, meat, and other animal products to allow, under certain conditions, the importation of fresh (chilled or frozen) beef from a region in Argentina located north of Patagonia South and Patagonia North B, referred to as Northern Argentina. Based on the evidence in a recent risk analysis, we have determined that fresh (chilled or frozen) beef can be safely imported from Northern Argentina, subject to certain conditions. This action provides for the importation of beef from Northern Argentina into the United States, while continuing to protect the United States against the introduction of foot-and-mouth disease.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 94 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/29/2014	79 FR 51508
NPRM Comment Period End	10/28/2014	
NPRM Comment Period Reopened	10/31/2014	79 FR 64687
NPRM Comment Period Reopened End	12/29/2014	
Final Rule	07/02/2015	80 FR 37935
Final Rule Effective	09/01/2015	

**Additional Information:** Additional information about APHIS and its programs is available on the Internet at <http://www.aphis.usda.gov>.

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Silvia Kreindel

Senior Staff Veterinarian, Regionalization Evaluation Services Staff, NIES, VS

Department of Agriculture

Animal and Plant Health Inspection Service

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Phone: 301 851-3313

**Department of Agriculture (USDA)**  
**Agricultural Marketing Service ( AMS )**

RIN: 0581-AD20

**Title:** National Organic Program, Organic Pet Food Standards

**Abstract:**

The National Organic Program (NOP) establishes national standards governing the marketing of organically produced agricultural products. In 2004, the National Organic Standards Board (NOSB) initiated the development of organic pet food standards, which had not been incorporated into the NOP regulations, by forming a task force which included pet food manufacturers, organic consultants, etc. Collectively, these experts drafted organic pet food standards consistent with the Organic Foods Production Act of 1990, Food and Drug Administration requirements, and the Association of American Feed Control Officials (AAFCO) Model Regulations for Pet and Specialty Pet Food. The AAFCO regulations are scientifically based regulations for voluntary adoption by State jurisdictions to ensure the safety, quality, and effectiveness of feed. In November 2008, the NOSB approved a final recommendation for organic pet food standards incorporating the provisions drafted by the pet food task force.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6501

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2016	
Final Action	11/00/2016	

**Regulatory Flexibility Analysis Required:** Business; Organizations

**Government Levels Affected:** Federal; Local; Tribal

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Miles McEvoy

Deputy Administrator, USDA National Organic Program

Department of Agriculture

Agricultural Marketing Service

Washington, DC 20250

Washington, DC 20250

Phone: 202 720-3252

**Department of Agriculture (USDA)**  
**Agricultural Marketing Service ( AMS )**

RIN: 0581-AD31

**Title:** National Organic Program, Organic Apiculture Practice Standard, NOP-12-0063

**Abstract:**

This action proposes to amend the USDA organic regulations to reflect an October 2010 recommendation submitted to the Secretary by the National Organic Standards Board (NOSB) concerning the production of organic apicultural (or beekeeping) products.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6501

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2016	

**Regulatory Flexibility Analysis Required:** Business; Governmental Jurisdictions; Organizations

**Government Levels Affected:** Federal

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

**Agency Contact:** Miles McEvoy

Deputy Administrator, USDA National Organic Program

Department of Agriculture

Agricultural Marketing Service

Washington, DC 20250

Washington, DC 20250

Phone: 202 720-3252

**Department of Agriculture (USDA)**  
**Agricultural Marketing Service (AMS)**

**RIN:** 0581-AD34

**Title:** National Organic Program--Organic Aquaculture Standards

**Abstract:**

This action proposes to establish standards for organic production and certification of farmed aquatic animals and their products in the USDA organic regulations. This action would also add aquatic animals as a scope of certification and accreditation under the National Organic Program (NOP). This action is necessary to establish standards for organic farmed aquatic animals and their products which would allow U.S. producers to compete in the organic seafood market. This action is also necessary to address multiple recommendations provided by USDA by the National Organic Standards Board (NOSB). In 2007 through 2009, the NOSB made five recommendations to establish standards for the certification of organic farmed aquatic animals and their products. Finally, the U.S. currently has organic standards equivalence arrangements with Canada and the European Union (EU). Both Canada and the EU established standards for organic aquaculture products. Because the U.S. does not have organic aquaculture standards, the U.S. is unable to include aquaculture in the scope of these arrangements. Establishing U.S. organic aquaculture may provide a basis for expanding those trade partnerships.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6501 to 6522

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	
Final Action	07/00/2016	

**Regulatory Flexibility Analysis Required:** Business; Organizations

**Government Levels Affected:** Federal

**Federalism:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Agricultural Marketing Service (AMS)**

**RIN:** 0581-AD08

**Title:** National Organic Program, Origin of Livestock, NOP-11-0009

**Abstract:**

The current regulations provide two tracks for replacing dairy animals which are tied to how dairy farmers transition to organic production. Farmers who transition an entire distinct herd must thereafter replace dairy animals with livestock that has been under organic management from the last third of gestation. Farmers who do not transition an entire distinct herd may perpetually obtain replacement animals that have been managed organically for 12 months prior to marketing milk or milk products as organic. The proposed action would eliminate the two-track system and require that upon transition, all existing and replacement dairy animals from which milk or milk products are intended to be sold, labeled, or represented as organic must be managed organically from the last third of gestation.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6501

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite

Action	Date	FR Cite
NPRM	04/28/2015	80 FR 23455
NPRM Comment Period End	07/27/2015	
Final Action	05/00/2016	

**Regulatory Flexibility Analysis Required:** Business; Organizations

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Agricultural Marketing Service (AMS)**

RIN: 0581-AD37

**Title:** Exemption of Producers and Handlers of Organic Products From Assessment Under a Commodity Promotion Law

**Abstract:**

As a result of this action, certified "organic" commodities (those comprising at least 95 percent organic components) would no longer be subject to assessment for promotion activities conducted under marketing order or research and promotion programs. In addition, certified organic commodities that are produced, handled, marketed, or imported by operations that also deal in conventional products would be eligible for exemptions. Currently, only products that are certified "100 percent organic" and that are produced and handled by entities that deal exclusively with organic products are exempt from assessments. This action is expected to reduce the assessment obligation for organic industry operators by as much as \$13.7 million. Conversely, the impact on the marketing programs will be a loss of approximately \$13.7 million in funds for generic commodity promotions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 900 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 7401; Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/16/2014	79 FR 75005
NPRM Comment Period End	01/15/2015	80 FR 2060
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Agricultural Marketing Service (AMS)**

RIN: 0581-AD38

**Title:** AMS Competitive and Non-Competitive Federal Assistance Programs--General Award Administrative Procedures

**Abstract:**

This action outlines the general requirements for Agricultural Marketing Service (AMS) grants, providing an overview of common grant activities and then breaking down specific requirements for each of the eight grants covered by the rulemaking publication. Consistent with efforts to consolidate the administration of the AMS grant programs and ensure transparency of each grant program's pre- and post- award processes, it is necessary to publish the basic procedures for administering these programs in the Federal Register.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 USC 1621; 7 USC 1501-1524; 7 CFR 1290-1291 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Agricultural Marketing Service ( AMS )**

RIN: 0581-AD39

**Title:** National Organic Program--Sunset 2015 Amendments to the National List

**Abstract:**

This proposed rule would address two 2015 sunset review recommendations submitted to the Secretary by the National Organic Standards Board (NOSB) following their October 2014 meeting. The Agricultural Marketing Service (AMS) published two notices of meetings of the NOSB on March 10, 2014 and on September 8, 2014. Each of these public meetings served as the NOSB's review of National List substances that have a 2015 sunset date. There were no comments, including no comment from the original marsala petitioner, in support of renewing marsala or sherry on the National List.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 FR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 7 U.S.C. 6501-6522

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/30/2015	80 FR 45449
NPRM Comment Period End	08/31/2015	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service ( FSIS )**

RIN: 0583-AC58

**Title:** Egg Products Inspection Regulations

**Abstract:**

The Food Safety and Inspection Service (FSIS) is proposing to require official egg products plants to develop and implement Hazard Analysis and Critical Control Point (HACCP) Systems and Sanitation Standard Operating Procedures (SOPs), consistent with HACCP and Sanitation SOP requirements in the meat and poultry products inspection regulations. FSIS also is proposing to require egg products plants to produce egg products using a process that will eliminate detectable pathogens from the finished product. Plants would be expected to develop HACCP systems that ensure that pathogens cannot be detected in finished egg products.

In addition, FSIS is proposing to amend the egg products inspection regulations by removing the current requirements for prior approval by FSIS of egg products plant drawings, specifications, and equipment prior to their use in official plants, providing for the generic labeling of egg products, and requiring safe handling labels on shell eggs and egg products.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 9 CFR 590.570; 9 CFR 590.575; 9 CFR 590.146; 9 CFR 590.10; 9 CFR 590.411; 9 CFR 590.502; 9 CFR 590.504; 9 CFR 590.580; 9 CFR 591 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 21 U.S.C. 1031 to 1056

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service ( FSIS )**

RIN: 0583-AD30

**Title:** Product Labeling: Use of the Voluntary Claim "Natural" on the Labeling of Meat and Poultry Products

**Abstract:**

The Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat and poultry products inspection regulations to define the conditions under which it will permit the voluntary claim "natural" to be used in the labeling of meat and poultry products. FSIS also is proposing that label approval requests for labels that contain "natural" claims include documentation to demonstrate that the products meet the criteria to bear a "natural" claim. FSIS is proposing to require that meat or poultry products meet these conditions to qualify for a "natural" claim to make the claim more meaningful to consumers.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 317; 9 CFR 381 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 21 U.S.C. 601 et seq.; 21 U.S.C. 451 et seq.

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	09/14/2009	74 FR 46951
ANPRM Comment Period End	11/13/2009	
NPRM	04/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

**RIN:** 0583-AD51

**Title:** Addition of Namibia to the List of Countries Eligible to Export Meat Products to the United States

**Abstract:**

Food Safety and Inspection Service (FSIS) is proposing to amend its meat products inspection regulations to add Namibia to the list of countries eligible to export meat products to the United States (9 CFR 327.2). Namibia is not currently listed as eligible to export such products to the United States. If this proposed rule is adopted, any meat and meat products exported to the United States from Namibia will be subject to reinspection at the ports-of-entry for transportation damage, labeling, proper certification, general condition, and accurate box count. FSIS will also conduct other types of inspection, including examination of products for defects and sampling and laboratory analysis of products' chemical residues, or for microbiological contamination. Products that pass reinspection will be stamped with the official United States mark of inspection, and allowed to enter United States commerce. If they do not meet United States requirements, they will be refused entry and must be re-exported, destroyed, or converted to animal food.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 327.2(b) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** The Federal Meat Inspection Act (FMIA); 21 U.S.C. 620

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/18/2015	80 FR 56401
NPRM Comment Period End	11/17/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

**RIN:** 0583-AD56

**Title:** Revision of the Nutrition Facts Panels for Meat and Poultry Products and Updating Certain Reference Amounts Customarily Consumed

**Abstract:**

Consistent with the recent changes that the Food and Drug Administration (FDA) proposed, the Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat and poultry products inspection regulations to update and revise the nutrition labeling requirements for meat and poultry products to reflect recent scientific research and dietary recommendations and to improve the presentation of nutrition information to assist consumers in maintaining healthy dietary practices. FSIS is proposing to (1) update the list of nutrients that are required or permitted to be declared; (2) provide updated Daily Reference Values (DRV) and Reference Daily Intake (RDI) values that are based on current dietary recommendations from consensus reports; and (3) amend the requirements for foods represented or purported to be specifically for children under the age of four years and pregnant and lactating women and establish nutrient reference values specifically for these population subgroups. FSIS is also proposing to revise the format and appearance of the Nutrition Facts Panel; amend the definition of a single-serving container; require dual-column labeling for certain containers; and update and modify several reference amounts customarily consumed (RACCs or reference amounts). FSIS also is proposing to consolidate the nutrition labeling regulations for meat and poultry products into a new Code of Federal Regulations (CFR) part.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 317; 9 CFR 381; 9 CFR 413 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Federal Meat Inspection Act (21 U.S.C. 601 et seq.); Poultry Products Inspection Act (21 U.S.C. 451 et seq.)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. Daniel L. Engeljohn

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E-Mail: [daniel.engeljohn@fsis.usda.gov](mailto:daniel.engeljohn@fsis.usda.gov)**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD58**Title:** Eligibility of Honduras to Export Poultry Products to the United States**Abstract:**

Food Safety and Inspection Service (FSIS) is proposing to add Honduras to the list of countries eligible to export poultry products to the United States. Under this proposal, slaughtered poultry or parts or other products thereof processed in certified Honduran establishments would be eligible for export to the United States. All such products will be subject to re-inspection at United States ports of entry by FSIS inspectors.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 9 CFR 381.196 (b) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Poultry Products Inspection Act (PPIA) (21 U.S.C. 466)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Federalism:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Dorothy Feustel

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E-Mail: [dorothy.feustel@fsis.usda.gov](mailto:dorothy.feustel@fsis.usda.gov)**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD59**Title:** Elimination of Trichina Control Regulations and Consolidation of Thermally Processed, Commercially Sterile Regulations**Abstract:**

Food Safety and Inspection Service (FSIS) is proposing to amend the Federal meat inspection regulations to eliminate the requirements for both ready-to-eat (RTE) and not-ready-to-eat (NRTE) pork and pork products to be treated to destroy trichina (*Trichinella spiralis*) because the regulations are inconsistent with the Hazard Analysis and Critical Control Point (HACCP) regulations, and these prescriptive regulations are no longer necessary. If this supplemental proposed rule is finalized, FSIS will end its *Trichinella* Approved Laboratory Program (TALP program) for the evaluation and approval of non-Federal laboratories that use the pooled sample digestion technique to analyze samples for the presence of trichina. FSIS is also proposing to consolidate the regulations on thermally processed, commercially sterile meat and poultry products (i.e., canned food products containing meat or poultry).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 301; 9 CFR 303; 9 CFR 318; 9 CFR 319; 9 CFR 320; 9 CFR 325; 9 CFR 331; 9 CFR 381; 9 CFR 424; 9 CFR 431 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Federal Meat Inspection Act (FMIA); Poultry Products Inspection Act (PPIA)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

RIN: 0583-AD36

**Title:** Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish

**Abstract:**

The 2008 Farm Bill (Pub. L. 110-246, sec. 11016), amended the Federal Meat Inspection Act (FMIA) to make "catfish" a species amenable to the FMIA and, therefore, subject to Food Safety and Inspection Service (FSIS) inspection. In addition, the 2008 Farm Bill gave FSIS the authority to define the term "catfish." On February 24, 2011, FSIS published a proposed rule that outlined a mandatory catfish inspection program and presented two options for defining "catfish." The 2014 Farm Bill (Pub. L. 113-79, sec. 12106), amended the FMIA to remove the term "catfish" and to make "all fish of the order Siluriformes" subject to FSIS jurisdiction and inspection. As a result, FSIS inspection of Siluriformes is mandated by law and non-discretionary.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR ch. III, subchapter F (new) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 to 695); Pub. L. 110-246, sec. 11016; Pub. L. 113-79, sec. 12106

**Legal Deadline:** The Agriculture Act of 2014 directs the Department to publish final regulations not later than 60 days after the date of enactment.

Action	Source	Description	Date
Other	Statutory	Regulations not later than 60 days after enactment of the Agricultural Act of 2014 (Pub. L. 113-79).	

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/2011	76 FR 10434
NPRM Comment Period End	06/24/2011	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** Business

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

RIN: 0583-AD41

**Title:** Electronic Export Application and Certification Charge; Flexibility in the Requirements for Export Inspection Marks, Devices, and Certificates; Egg Products Export Certification

**Abstract:**

Food Safety and Inspection Service (FSIS) is developing final regulations to amend the meat, poultry, and egg product inspection regulations to provide for an electronic export application and certification system. The electronic export application and certification system will be a component of the Agency's Public Health Information System (PHIS). The export component of PHIS will be available as an alternative to the paper-based application and certification process. FSIS intends to charge users for the use of the system. FSIS is establishing a formula for calculating the fee. FSIS also is providing establishments that export meat, poultry, and egg products with flexibility in the official export inspection marks, devices, and certificates. In addition, FSIS is amending the egg product export regulations to parallel the meat and poultry export regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 312.8; 9 CFR 322.1 and 322.2; 9 CFR 350.7; 9 CFR 362.5; 9 CFR 381.104 to 381.106; 9 CFR 590.407; 9 CFR 592.20 and 592.500 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 to 695); Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 to 470); Egg Products Inspection Act (EPIA) (21 U.S.C. 1031 to 1056); Agricultural Marketing Act (AMA) (7 U.S.C. 1622(h))

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/23/2012	77 FR 3159
NPRM Comment Period End	03/23/2012	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

RIN: 0583-AD46

**Title:** Records to be Kept by Official Establishments and Retail Stores That Grind Raw Beef Products

**Abstract:**

Food Safety and Inspection Service (FSIS) is developing final regulations to amend its recordkeeping regulations to specify that all official establishments and retail stores that grind raw beef products for sale in commerce must keep records that disclose the identity of the supplier of all source materials that they use in the preparation of each lot of raw ground product, and identify the names of those source materials.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 320 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 21 U.S.C. 601 et seq.

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/2014	79 FR 42464
NPRM Comment Period End	10/22/2014	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food Safety and Inspection Service (FSIS)**

RIN: 0583-AD54

**Title:** Requirements for the Disposition of Non-Ambulatory Disabled Veal Calves

**Abstract:**

Food Safety and Inspection Service (FSIS) is developing final regulations to amend the ante-mortem inspection regulations to remove a provision that permits establishments to set apart and hold for treatment veal calves that are unable to rise from a recumbent position and walk because they are tired or cold (9 CFR 309.13(b)). The regulations permit such calves to proceed to slaughter if they are able to rise and walk after being warmed or rested. FSIS proposed to require that non-ambulatory disabled (NAD) veal calves that are offered for slaughter be condemned and promptly euthanized. The existing regulations require that NAD mature cattle be condemned on ante-mortem inspection and that they be promptly euthanized (9 CFR 309.3(e)). FSIS believes that prohibiting the slaughter of all NAD veal calves would improve compliance with the Humane Methods of Slaughter Act of 1978 (HMSA), and the humane slaughter implementing regulations. It also would improve the Agency's inspection efficiency by eliminating the time that FSIS inspection program personnel (IPP) spend re-inspecting non-ambulatory disabled veal calves.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 9 CFR 309 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Federal Meat Inspection Act (21 U.S.C. 601 et seq.)

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:**

Removing the provision from 9 CFR 309.13(b) would eliminate uncertainty as to what is to be done with veal calves that are non-ambulatory disabled because they are tired or cold, or because they are injured or sick, thereby ensuring the appropriate disposition of these animals. In addition, removing the provision in 9 CFR 309.13(b) would improve inspection efficiency by eliminating the time that FSIS IPP spend assessing the treatment of non-ambulatory disabled veal calves.

**Legal Basis:**

21 U.S.C. 603 (a) and (b)

**Alternatives:**

The Agency considered two alternatives to the proposed amendment: the status quo and prohibiting the slaughter of non-ambulatory disabled "bob veal," which are calves generally less than one week old.

**Costs and Benefits:**

If the rule is adopted, non-ambulatory disabled veal calves will not be re-inspected during ante-mortem inspection. The veal calves that are condemned during ante-mortem inspection will be euthanized. The estimated annual cost to the veal industry would range between \$2,368 and \$161,405. The expected benefits of this proposed rule are not quantifiable. However, the rule would ensure the humane disposition of the non-ambulatory disabled veal calves. It also would increase the efficiency and effective implementation of inspection and humane handling requirements at official establishments.

**Risks:**

None

**Timetable:**

Action	Date	FR Cite
NPRM	05/13/2015	80 FR 27269
NPRM Comment Period End	08/12/2015	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. Daniel L. Engeljohn

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**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD60**Title:** Classes of Poultry**Abstract:**

The Food Safety and Inspection Service (FSIS) proposed to amend the definition and standard of identity for the roaster or roasting chicken poultry class to better reflect the characteristics of roaster chickens in the market today. Roasters or roasting chickens are described in terms of the age and ready-to-cook (RTC) carcass weight of the bird. Genetic changes and management techniques have continued to reduce the grow-out period and increased the RTC weight for this poultry class. Therefore, FSIS proposed to amend the roaster definition to remove the 8-week minimum age criterion and increase the RTC carcass weight from 5 pounds to 5.5 pounds. This action is being taken in response to a petition submitted by the National Chicken Council.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 381.170 (a) (1) (iii) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Poultry Products Inspection Act (PPIA) (21 U.S.C. 457 (b))**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/19/2015	80 FR 50228
NPRM Comment Period End	10/19/2015	
Final Action	06/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Rosalyn Murphy-Jenkins

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**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD45**Title:** Descriptive Designation for Needle- or Blade-Tenderized (Mechanically Tenderized) Beef Products**Abstract:**

Food Safety and Inspection Service (FSIS) has finalized regulations to require the use of the descriptive designation "mechanically tenderized" on the labels of raw or partially cooked needle- or blade-tenderized beef products, including beef products injected with marinade or solution, unless such products are destined to be fully cooked at an official establishment. Beef products that have been needle- or blade-tenderized are referred to as "mechanically tenderized" products. This rule requires that the product name for such beef products include the descriptive designation "mechanically tenderized," and an accurate description of the beef component. The rule also requires that the print for all words in the descriptive designation and the product name appear in a single, easy-to-read type style and color and on a single-color contrasting background. The print may appear in upper and lowercase letters with the lowercase letters not smaller than one-third (1/3) the size of the largest letter. In addition, this rule requires that labels of raw and partially cooked needle- or blade-tenderized beef products destined for household consumers, hotels, restaurants, or similar institutions include validated cooking instructions stating that these products need to be cooked to a specified minimum internal temperature, and whether they need to be held at that minimum internal temperature for a specified time before consumption (in other words, dwell time or rest time) to ensure that they are thoroughly cooked.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 317.2(e)(3) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 21 U.S.C. 601 to 695**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/10/2013	78 FR 34589
NPRM Comment Period End	08/09/2013	
NPRM Comment Period Extended	08/09/2013	78 FR 48631
NPRM Comment Period Reopened	12/03/2013	78 FR 72597
Final Action	05/18/2015	80 FR 28153
Final Action Effective	05/17/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Rosalyn Murphy-Jenkins

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**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD53**Title:** Affirmation of Interim Final Rule With Amendments: Control of Listeria Monocytogenes in Ready-to-Eat Meat and Poultry Products**Abstract:**

Food Safety and Inspection Service (FSIS) has affirmed, with changes, the interim final rule "Control of Listeria monocytogenes in Ready-to-Eat Meat and Poultry Products," which was published in the Federal Register on June 6, 2003, (68 FR 34208). The interim final rule requires establishments that produce certain ready-to-eat (RTE) meat and poultry products that are exposed to the processing environment after undergoing treatments lethal to Listeria monocytogenes (Lm) to have in their hazard analysis and critical control point (HACCP) plans, or in their sanitation standard operating procedures (Sanitation SOPs), or other prerequisite programs, controls that prevent product adulteration by Lm. Establishments must share with FSIS data and information relevant to their controls for Lm. Establishments also must furnish FSIS with information on the production volume of products affected by the regulations. Establishments may make claims on the labels of their RTE products regarding the processes they use to eliminate or reduce Lm, or suppress, or limit its growth in the products. FSIS made minor changes to the regulatory provisions in response to comments that the Agency received on the basis of experience in implementing the provisions, and because the way FSIS obtains establishment profile information electronically has changed. FSIS clarified in the regulations that establishments may not release into commerce product that has been in contact with Lm contaminated surfaces without reprocessing the product. In addition, FSIS is removing the requirement for establishments to report production volume and related information to FSIS because the Agency now routinely collects this information through its Public Health Information System (PHIS).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 430 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Federal Meat Inspection Act (21 U.S.C. 601 et seq.); Poultry Products Inspection Act (21 U.S.C. 451 et seq.)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	06/19/2015	80 FR 35178

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. Daniel L. Engeljohn

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**Department of Agriculture (USDA)****Food Safety and Inspection Service (FSIS)****RIN:** 0583-AD57**Title:** Eligibility of Lithuania to Export Meat and Meat Products to the United States**Abstract:**

Food Safety and Inspection Service (FSIS) added Lithuania to the list of countries eligible to export meat and meat products to the United States. Under this proposal, meat from cattle, sheep, swine, and goats slaughtered in Lithuania, or parts or other products thereof, processed in certified Lithuanian establishments, would be eligible for export to the United States. All such products would be subject to reinspection at United States ports of entry by FSIS inspectors.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 9 CFR 327.2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 to 695).**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
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NPRM	12/17/2014	79 FR 75073
NPRM Comment Period End	02/17/2015	
Final Action	08/31/2015	80 FR 52375
Final Action Effective	10/30/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**International Impacts:** This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.**Agency Contact:** Dr. Daniel L. Engeljohn

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**Department of Agriculture (USDA)****Food and Nutrition Service ( FNS )****RIN:** 0584-AE00**Title:** Emergency Supplemental Nutrition Assistance for Victims of Disasters Procedures**Abstract:**

The Food and Nutrition Act of 2008 (FNA) provides authority for the Secretary of Agriculture to establish temporary emergency standards of eligibility for the duration of an emergency for households who are victims of a disaster that disrupts commercial channels of food distribution. The Food and Nutrition Service (FNS) plans to publish a Proposed Rule for D-SNAP that will codify longstanding policies disseminated through previous guidance.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 280 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H. Watford

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**Department of Agriculture (USDA)****Food and Nutrition Service ( FNS )****RIN:** 0584-AE02**Title:** Supplemental Nutrition Assistance Program: 2008 Farm Bill Provisions on Clarification of Split Issuance; Accrual of Benefits; Interchange Fees and Definition Changes**Abstract:**

This rulemaking will propose to implement sections 4113 (Split Issuance), 4114 (Accrual of Benefits), and part of 4115 (Interchange Fees) of the 2008 Farm Bill, which pertain to Supplemental Nutrition Assistance Program (SNAP) benefit issuance and redemption. The provisions of section 4115 to de-obligate coupons and make Electronic Benefit Transfer cards the sole method of benefit delivery will be addressed in a separate rulemaking.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 271; 7 CFR 274 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-246**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H. Watford

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE27

**Title:** Enhancing Retailer Eligibility Standards in SNAP**Abstract:**

This rulemaking will address the criteria used to authorize redemption of SNAP benefits (especially by restaurant-type operations).

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 271.2; 7 CFR 278.1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 3 U.S.C. 2012; 9 U.S.C. 2018**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

The 2014 Farm Bill amended the Food and Nutrition Act of 2008 to increase the requirement that certain SNAP authorized retail food stores have available on a continual basis at least three varieties of items in each of four staple food categories to a mandatory minimum of seven. The 2014 Farm Bill also amended the Act to increase for certain SNAP authorized retail food stores the minimum number of categories in which perishable foods are required from two to three. This rule would codify these mandatory requirements. Further, using existing authority in the Act and feedback from an expansive Request for Information, the rulemaking also proposes changes to address depth of stock, redefine staple and accessory foods, and amend the definition of retail food store to clarify when a retailer is a restaurant rather than a retail food store.

**Legal Basis:**

Section 3(k) of the Food and Nutrition Act of 2008 (the Act) generally (with limited exception) (1) requires that food purchased with SNAP benefits be meant for home consumption and (2) forbids the purchase of hot foods with SNAP benefits. The intent of those statutory requirements can be circumvented by selling cold foods, which may be purchased with SNAP benefits, and offering onsite heating or cooking of those same foods, either for free or at an additional cost. In addition, section 9 of the Act provides for approval of retail food stores and wholesale food concerns based on their ability to effectuate the purposes of the Program.

**Alternatives:**

Because this proposed rule is under development, alternatives are not yet articulated.

**Costs and Benefits:**

The proposed changes will allow FNS to improve access to healthy food choices for SNAP participants and to ensure that participating retailers effectuate the purposes of the Program. FNS anticipates that these provisions will have no significant costs to States.

**Risks:**

None identified.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE32

**Title:** SNAP: Restaurant Meal Program State Agency Annual Plan and Reporting Requirements, the Use of Benefits for Purchase of Community Supported Agriculture Shares
**Abstract:**

This rule aims to address current information and accountability gaps, by requiring that State agencies submit to FNS annual Restaurant Meal Program (RMP) operations plans and reports. It is a goal of the legislation and FNS that State agency operators of the RMP regularly assess programs against need; determine if it is effective at meeting the needs of the elderly, disabled, and homeless; monitor the RMP for possible fraud and abuse; and justify the continued operation of the program. The proposed changes will help ensure the integrity of the program by requiring State operators to submit an annual plan which details concrete need" criteria for approval of private restaurant meal providers to offer meals to the targeted populations. The proposed regulatory changes would require the implementing State agency to demonstrate how the recipient populations referenced in Sections 3(k)(3), (4) and (9) of the Food and Nutrition Act of 2008, are served by those providers it chooses to contract with to provide meals. There is also a statutory requirement for an annual report submission by State operators so that FNS can assess whether the RMP is meeting the needs of those it is designated to serve.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 272 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
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RIN: 0584-AE37

**Title:** Modernizing Supplemental Nutrition Assistance Program (SNAP) Benefit Redemption Systems
**Abstract:**

The Agricultural Act of 2014 (Pub. L. 113-79, the Farm Bill) amended the Food and Nutrition Act of 2008 (the FNA) to include new requirements regarding the acceptance and processing of SNAP client benefits by all non-exempt retailers participating in SNAP. Statutory changes will modernize EBT systems and ensure greater program integrity. The Food and Nutrition Service (FNS) also plans to revise certain SNAP regulations for which multiple State agencies have sought and received approval of waivers. The revisions will streamline program administration, offer greater flexibility to State agencies, and improve customer service.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 7 CFR 274; 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** Federal; State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE38

**Title:** Processing of Donated Foods for Use in the NSLP and Other Food Assistance Programs: Implementation of the Agricultural Act of 2014, and Further Revisions and Clarifications in Processing Requirements

**Abstract:**

FNS proposes to implement provisions of the Agricultural Act of 2014 (Pub. L. 113-79, the Farm Bill) with regard to the processing of donated foods, and to amend current regulations further to provide more efficient and effective service to State distributing and recipient agencies, including School Food Authorities (SFA).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE39

**Title:** Supplemental Nutrition Assistance Program (SNAP): Electronic Benefits Transfer Requirements for Scanning and Product-Lookup Technology

**Abstract:**

This rule will align program regulations with changes made by section 4002 of the Agricultural Act of 2014 (Pub. L. 113-79, the Farm Bill), which introduces new technical requirements for point-of-sale (POS) devices in the Electronic Benefits Transfer (EBT) system in section 7(h)(2)(C) of the Food and Nutrition Act of 2008 (the FNA). The Food and Nutrition Service (FNS) will propose to revise existing regulations both to codify these statutory requirements as well as to provide for their effective implementation and enforcement through the clarification of the technical specifications and capabilities required of this equipment and by addressing methods for ensuring compliance. In addition, the Department will define what constitutes an area that has significantly limited access to food to determine who is exempt from this requirement.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 7 CFR 274; 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE41

**Title:** Supplemental Nutrition Assistance Program (SNAP): Student Eligibility, Convicted Felons, Lottery and Gambling, and State Immigration Verification Provisions of the Agricultural Act of 2014

**Abstract:**

The proposed action will address sections 4007, 4008, 4009 and 4015 of the Agricultural Act of 2014. Section 4007, Eligibility Disqualifications, will address student eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits. Section 4008, Eligibility Disqualifications for Certain Convicted Felons, will address SNAP eligibility of certain convicted felons who are not in compliance with the terms of their sentence. Section 4009, Lottery and Gambling Winners, will address ineligibility for SNAP beneficiaries with substantial gambling or lottery winnings. Section 4015, Mandating State Immigration Verification, will address the procedures States must have in place to verify immigration status.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 272; 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Federalism:** No

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**Department of Agriculture (USDA)**

**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE42

**Title:** Food and Nutrition Service Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**Abstract:**

This proposed regulation will implement the final guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards published by the Office of Management and Budget (OMB) on December 26, 2013. USDA implementation of the guidance will occur in December 2014 with the OMB joint interim final rule. This Food and Nutrition Service (FNS) rule will update references to the OMB final guidance throughout the FNS rules.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Chapter II, Title 7 of the CFR (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** OMB Guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards"

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions

**Government Levels Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**

**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE43

**Title:** Supplemental Nutrition Assistance Program: Standard Utility Allowances Based on the Receipt of Energy Assistance Payments

**Abstract:**

The proposed action would implement section 4006, Standard Utility Allowances Based on the Receipt of Energy Assistance Payments, of the Agricultural Act of 2014. Under section 4006, the Department of Agriculture, Food and Nutrition Service (FNS) is instructed to promulgate regulations establishing that those States electing to use a heating or cooling standard utility allowance (HCSUA) in Supplemental Nutrition Assistance Program (SNAP) eligibility determinations must make the HCSUA available to households that receive a Low-Income Home Energy Assistance Program (LIHEAP) or other similar energy assistance program payment greater than \$20 annually in the current month or in the immediately preceding 12 months.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE44

**Title:** Supplemental Nutrition Assistance Program Promotion

**Abstract:**

This rule proposes to implement section 4018 of the Agricultural Act of 2014. This section created new limitations on the use of Federal funds authorized in the Food and Nutrition Act for Supplemental Nutrition Assistance Program (SNAP) promotion and outreach activities. These changes will affect the type of outreach activities eligible for 50 percent Federal reimbursement conducted by State agencies and their community partners. This regulation will codify section 4018 of the Agricultural Act of 2014 which establishes new parameters regarding how funds authorized by the Food and Nutrition Act may be spent to promote SNAP. The Agricultural Act of 2014 makes these changes by amending sections 16(a)(4) and 18 of the Food and Nutrition Act.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 251; 7 CFR 271; 7 CFR 272; 7 CFR 277 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE45

**Title:** Supplemental Nutrition Assistance Program (SNAP) Photo Electronic Benefit Transfer (EBT) Card Implementation Requirements

**Abstract:**

Under section 7(h)(9) of the Food and Nutrition Act of 2008 (the Act), as amended [7 U.S.C. 2016(h)(9)], States have the option to require that SNAP Electronic Benefit Transfer (EBT) card contain a photo of one or more household members. This rule would incorporate into regulation and provide additional clarity on the Food and Nutrition Service (FNS) guidance developed for State agencies wishing to implement the photo EBT card option.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 273; 7 CFR 274; 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub L. 104-193

**Legal Deadline:** None

**Regulatory Plan:**

**Statement of Need:**

The regulation would create a clearer structure for those States wishing to exercise the option of placing a photo on EBT cards and ensure uniform accessibility for participants in all States.

**Legal Basis:**

The Food and Nutrition Act of 2008 requires that any States choosing to issue a photo on the EBT card establish procedures to ensure that all other household members or any authorized representative of the household may utilize the card. Furthermore, applying this option must also preserve client rights and responsibilities afforded by the Act to ensure that all household members are able to maintain uninterrupted access to benefits, that non-applicants applying on behalf of eligible household members are not negatively impacted, and that SNAP recipients using photo EBT cards are treated equitably in accordance with Federal law when purchasing food at authorized retailers.

**Alternatives:**

None .

**Costs and Benefits:**

The changes to be proposed are not expected to create serious inconsistencies or otherwise interfere with actions taken or planned by another agency or materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof. The requirements will not raise novel or legal policy issues.

Budgetary impact on FNS is expected to be limited. Photo EBT card implementation in multiple States may require additional Federal staff for review and approval of implementation plans and for on-going monitoring via management evaluations.

As a result of this rule, States that exercise the option to implement photos on EBT cards would incur costs associated with development of an implementation plan, State staff training, client training, and retailer training. It is expected that providing guidance or oversight of these requirements would fall under the standard purview of these agencies and could be absorbed by existing staff. State Agencies are responsible for approximately 50% of SNAP administration costs, which would include the costs associated with implementing and maintaining photo EBT cards.

**Risks:**

FNS recognizes the existence of violating retailers and others buying and using multiple cards and pins to stock their shelves and will propose an alternative to address possession of multiple cards and PINs to allow for additional verification at point-of-sale in some specific instances.

Recent attempts to implement photographs on the EBT card have proven difficult for some States. This rule will expand on current program regulations to provide clarification and more detailed guidance to States implementing the photo EBT option and ensure program access is protected.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Energy Affected:** No

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**Government Levels Affected:** Local; State

**Federalism:** No

**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE46

**Title:** Supplemental Nutrition Assistance Program: Definition of "Benefit" as it Pertains to Retail Owners

**Abstract:**

This rule proposes to define the word benefit as it pertains to retail owners as recommended by the Office of Inspector General (OIG) under Recommendation 8 of their July 2013, FNS: Controls for Authorizing Supplemental Nutrition Assistance Program Retailers (# 27601-0001-31) audit report. The definition would put the burden of proof on the retail owners to demonstrate that they did not benefit from any trafficking that occurred, and are therefore eligible for a civil money penalty in lieu of disqualification.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE47

**Title:** Supplemental Nutrition Assistance Program: National Crime Information Center Background Check Requirement for Retailer Authorization and Reauthorization

**Abstract:**

The proposed rule would revise program regulations related to the authorization or reauthorization of retailers seeking to participate, or to continue participating in the program, in order to implement Recommendation 3 from the July 2013 Office of Inspector General (OIG) audit report titled, FNS: Controls for Authorizing Supplemental Nutrition Assistance Program Retailers (# 27601-0001-31). The Recommendation requires a self-initiated National Crime Information Center (NCIC) background check as part of the application process for new retailer applicants to the program, as well as retailers seeking reauthorization in the program who have not already completed the process, as deemed necessary by Food and Nutrition Service (FNS).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD60

**Title:** Direct Certification of Children in SNAP Households and Certification of Homeless, Migrant, and Runaway Children for Free Meals in the NSLP, SBP, and SMP

**Abstract:**

In response to Public Law 108-265, which amended the Richard B. Russell National School Lunch Act, 7 CFR part 245, Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools, is amended to establish categorical (automatic) eligibility for free meals and free milk upon documentation that a child is (1) homeless as defined by the McKinney-Vento Homeless Assistance Act; (2) a runaway served by grant programs under the Runaway and Homeless Youth Act; or (3) migratory as defined in section 1309(2) of the Elementary and Secondary Education Act. The rule also requires phase-in of mandatory direct certification for children who are members of households receiving benefits from the Supplemental Nutrition Assistance Program and continues discretionary direct certification for other categorically eligible children.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 210; 7 CFR 215; 7 CFR 220; 7 CFR 225; 7 CFR 226; 7 CFR 245 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 108-265, sec 104

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/25/2011	76 FR 22785
Interim Final Rule Effective	06/24/2011	
Interim Final Rule Comment Period End	10/24/2011	
Final Action	12/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Merge with 0584-AD62

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD70

**Title:** Implementing Provisions From the Child Nutrition and WIC Reauthorization Act of 2004: Seamless Summer Option for Schools Participating in the National School Lunch Program

**Abstract:**

This interim final rule will amend 7 CFR parts 210 and 220 to codify section 116 of the Child Nutrition and WIC Reauthorization Act of 2004 (Pub. L. 108-265) amending section 13(a) of the Richard B. Russell National School Lunch Act (NSLA) to authorize a Seamless Summer Option for public or private nonprofit school food authorities to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 210; 7 CFR 220 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 108-265**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD84

**Title:** Simplified Cost Accounting and Other Actions to Reduce Paperwork in the Summer Food Service Program

**Abstract:**

Section 738 of the Consolidated Appropriations Act, 2008, (Pub. L. 110-161) extends simplified cost accounting procedures to Summer Food Service Program (SFSP) sponsors in all States. Beginning on January 1, 2008, sponsors received the maximum rates of reimbursement for the eligible meals they served. This final rule will amend 7 CFR part 225 to eliminate the program assistance requirements that no longer apply and to implement a number of other actions that would further streamline SFSP administration.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 225 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-161**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/12/2013	78 FR 41857
NPRM Comment Period End	10/10/2013	
Final Action	02/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD86

**Title:** Review of Major Changes in Program Design and Management Evaluation Systems**Abstract:**

The final rule will amend 7 CFR parts 271, 272, and 275 to codify section 4116 of the Food, Conservation, and Energy Act of 2008. This section, Review of Major Changes in Program Design, requires the Secretary to develop standards for identifying major changes in the operations of a State agency that administers SNAP. Once the Food and Nutrition Service (FNS) has determined that a State reported operational change is considered major, the State will be required to report to FNS, on a regular basis, information related to the impact of the change on program integrity and program access.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 275 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-234**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/03/2011	76 FR 24820
NPRM Comment Period End	07/05/2011	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
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RIN: 0584-AD87

**Title:** Eligibility, Certification, and Employment and Training Provisions**Abstract:**

This final rule amends the regulations governing the Supplemental Nutrition Assistance Program (SNAP) to codify provisions from the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246) (FCEA) concerning the eligibility and certification of SNAP applicants and participants and SNAP employment and training.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-246; Pub. L. 104-121**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/04/2011	76 FR 25414
NPRM Comment Period End	07/05/2011	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD88

**Title:** Supplemental Nutrition Assistance Program: Farm Bill of 2008 Retailer Sanctions**Abstract:**

This final rule would implement provisions under section 4132 of the Food, Conservation, and Energy Act of 2008, giving the Department of Agriculture's Food and Nutrition Service (FNS) the authority to assess a civil penalty and to disqualify a retail or wholesale food store authorized to participate in SNAP.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 7 CFR 276 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))**Legal Authority:** Pub. L. 110-246**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/14/2012	77 FR 48461
NPRM Comment Period End	10/15/2012	
Final Action	03/00/2016	

**Additional Information:** Note: This RIN replaces the previously issued RIN 0584-AD78.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
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RIN: 0584-AD96

**Title:** Fresh Fruit and Vegetable Program**Abstract:**

The Food, Conservation, and Energy Act of 2008 amended the National School Lunch Act (NSLA) to add section 19, the Fresh Fruit and Vegetable Program (FFVP). Section 19 establishes the FFVP as a permanent national program in a select number of schools in each State, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. Schools in all States must apply annually in order to receive FFVP funding. This rule would codify statutory requirements currently established and implemented through program policy and guidance for operators at the State and local level.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 211 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))**Legal Authority:** Food, Conservation, and Energy Act of 2008; National School Lunch Act (NSLA); 42 U.S.C. 1769(a)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/24/2012	77 FR 10982
NPRM Comment Period End	04/24/2012	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AD98

**Title:** Supplemental Nutrition Assistance Program Provision Major System Failures**Abstract:**

Title IV, part III: Program Operations, section 4133 (Major System Failures) provision allows USDA to prohibit State agencies from collecting claims from a household, and to assert a claim against a State in cases of major systemic error resulting in substantial overpayments of Supplemental Nutrition Assistance Program (SNAP) benefits. This rule will regulate what procedures and processes are to be followed if a State experiences such a failure. It will define what a major system failure is and explain under what circumstances a State agency will be held liable for an overpayment, rather than the client household.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-246**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/18/2011	76 FR 51274
NPRM Comment Period End	10/17/2011	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
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RIN: 0584-AE01

**Title:** Clarification of Eligibility of Fleeing Felons**Abstract:**

Section 4112 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246) amended section 6(k) of the FNA to require the Secretary to amend SNAP regulations to clarify and define certain terminology that affects the SNAP eligibility of fleeing felons.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 273.11 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-246**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/19/2011	76 FR 51907
NPRM Comment Period End	10/18/2011	
Final Action	09/10/2015	80 FR 54410
Final Action Effective	11/09/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE07

**Title:** Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant
**Abstract:**

This rule finalizes regulations to implement section 28 of the Food and Nutrition Act (FNA) of 2008, as added by section 241 of the Healthy, Hunger-Free Kids Act (HHFKA) of 2010. The rule provides State agencies with requirements for implementing section 28, including the grant award process and describes the process for allocating the 100 percent Federal grant funding authorized under the Act to carry out nutrition education and obesity prevention services each fiscal year. This final rule codifies section 4028 of the Agricultural Act of 2014, which authorizes physical activity as a nutrition education activity. This final rule also codifies a provision of the FNA as section 28(b) which adds physical activity choices to the healthy food choices consistent with the most recent Dietary Guidelines for Americans that are promoted through State nutrition education and obesity prevention programs.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 272 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 111-296**Legal Deadline:** A legal deadline of 01/01/2012 was placed on this action by Public Law 111-296.

Action	Source	Description	Date
Other	Statutory	Public Law 111-296	01/01/2012

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/05/2013	78 FR 20411
Interim Final Rule Comment Period End	06/04/2013	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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RIN: 0584-AE09

**Title:** National School Lunch and School Breakfast Programs: Nutrition Standards for All Foods Sold in School, as Required by the Healthy, Hunger-Free Kids Act of 2010
**Abstract:**

This rule codifies the two provisions of the Healthy, Hunger-Free Kids Act (Pub. L. 111-296; the Act) under 7 CFR parts 210 and 220. Section 203 requires schools participating in the National School Lunch Program to make available to children free of charge, as nutritionally appropriate, potable water for consumption in the place where meals are served during meal service. Section 208 requires the Secretary to promulgate regulations to establish science-based nutrition standards for all foods sold in schools. The nutrition standards apply to all food sold outside the school meal programs, on the school campus, and at any time during the school day.

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** State, Local, Or Tribal Governments; Private Sector**CFR Citation:** 7 CFR 210; 7 CFR 220 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 111-296**Legal Deadline:** None**Regulatory Plan:****Statement of Need:**

This rule codifies the two provisions of the Healthy, Hunger-Free Kids Act (Pub. L. 111-296; the Act) under 7 CFR parts 210 and 220. Section 203 requires schools participating in the National School Lunch Program to make available to children free of charge, as nutritionally appropriate, potable water for consumption in the place where meals are served during meal service. Section 208 requires the Secretary to promulgate proposed regulations to establish science-based nutrition standards for all foods sold in schools not later than December 13, 2011. The nutrition standards apply to all food sold outside the school meal programs, on the school campus, and at any time during the school day.

**Legal Basis:**

There is no existing regulatory requirement to make water available where meals are served. Regulations at 7 CFR parts 210.11 direct State agencies and school food authorities to establish regulations necessary to control the sale of foods in competition with lunches served under the NSLP, and prohibit the sale of foods of minimal nutritional value in the food service areas during the lunch periods. The sale of other competitive foods may, at the discretion of the State agency and school food authority, be allowed in the food service area during the lunch period only if all income from the sale of such foods accrues to the benefit of the nonprofit school food service or the school or student organizations approved by the school. State agencies and school food authorities may impose additional restrictions on the sale of and income from all foods sold at any time throughout schools participating in the Program.

**Alternatives:**

None.

**Costs and Benefits:**

Expected Costs Analysis and Budgetary Effects Statement: The Congressional Budget Office has determined that these provisions would incur no Federal costs.

Although the complexity of factors that influence overall food consumption and obesity prevent us from defining a level of dietary change or disease or cost reduction that is attributable to the rule, there is evidence that standards like those in the rule will positively influence and perhaps directly improve food choices and consumption patterns that contribute to students' long-term health and well-being, and reduce their risk for obesity.

Any rule-induced benefit of healthier eating by school children would be accompanied by costs, at least in the short term. Healthier food may be more expensive than unhealthy food either in raw materials, preparation, or both and this greater expense would be distributed among students, schools, and the food industry.

**Risks:**

None known.

**Timetable:**

Action	Date	FR Cite
NPRM	02/08/2013	78 FR 9530
NPRM Comment Period End	04/09/2013	
Interim Final Rule	06/28/2013	78 FR 39067
Interim Final Rule Effective	08/27/2013	
Interim Final Rule Comment Period End	10/28/2013	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions

**Government Levels Affected:** Local; State

**Federalism:** Yes

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Food and Nutrition Service ( FNS )**

**RIN:** 0584-AE11

**Title:** National School Lunch and School Breakfast Programs: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010

**Abstract:**

This rule amends National School Lunch Program (NSLP) regulations to conform to requirements contained in the Healthy, Hunger-Free Kids Act of 2010 regarding equity in school lunch pricing and revenue from non-program foods sold in schools. This rule requires school food authorities (SFAs) participating in the NSLP to provide the same level of financial support for lunches served to students who are not eligible for free or reduced price lunches as is provided for lunches served to students eligible for free lunches. This rule also requires that all food sold in a school and purchased with funds from the nonprofit school food service account other than meals and supplements reimbursed by the Department of Agriculture must generate revenue at least proportionate to the cost of such foods.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 210 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 111-296

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/17/2011	76 FR 35301
Interim Final Rule Effective	07/01/2011	
Interim Final Rule Comment Period End	09/15/2011	
Final Action	05/00/2016	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions; Organizations

**Government Levels Affected:** Federal; Local; State; Tribal

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE12

**Title:** Child and Adult Care Food Program: Amendments Related to the Healthy, Hunger-Free Kids Act of 2010

**Abstract:**

This rule will codify several provisions of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296; the Act) that affect management of the Child and Adult Care Food Program (CACFP), including (1) developing policies under which institutions submit an initial CACFP application to the State agency; (2) allowing day care homes to assist families in transmitting program forms which contain household income information to the sponsoring organization; (3) modifying the structure and formula for determining administrative payments to sponsoring organizations of family day care homes; and (4) allowing sponsoring organizations to carry over up to 10 percent of their administrative funding from the previous fiscal year into the next fiscal year.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 226 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 111-296

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/09/2012	77 FR 21018
NPRM Comment Period End	06/08/2012	
Final Action	02/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE16

**Title:** National School Lunch Program and School Breakfast Program: Eliminating Applications Through Community Eligibility as Required by the Healthy, Hunger-Free Kids Act of 2010

**Abstract:**

The rule will codify section 104(a) of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296; the Act), which allows eligible local educational agencies (LEA) and schools to receive special assistance payments under procedures set forth in this section in lieu of the special assistance payments normally made available for free and reduced price meals if they serve all enrolled students free meals for four successive years in lieu of collecting applications.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 245 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 111-296

**Legal Deadline:**

Action	Source	Description	Date
NPRM	Statutory		12/31/2013

**Timetable:**

Action	Date	FR Cite
NPRM	11/04/2013	78 FR 65890
NPRM Comment Period End	01/03/2014	
Final Action	01/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE18

**Title:** Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010

**Abstract:**

This final rule will implement section 221 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296; the Act). It requires USDA to review and update, no less frequently than once every 10 years, requirements for meals served under the Child and Adult Care Food Program (CACFP) to ensure those meals are consistent with the most recent Dietary Guidelines for Americans and relevant nutrition science.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 210; 7 CFR 215; 7 CFR 220; 7 CFR 226 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 111-296

**Legal Deadline:** None

**Regulatory Plan:****Statement of Need:**

Section 221 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296, the Act) requires USDA to review and update, no less frequently than once every 10 years, requirements for meals served under the Child and Adult Care Food Program (CACFP) to ensure those meals are consistent with the most recent Dietary Guidelines for Americans and relevant nutrition science. The Act also clarifies the purpose of the program, restricts the use of food as a punishment or reward, outlines requirements for milk and milk substitution, and introduces requirements for the availability of water. This rule establishes the criteria and procedures for implementing these provisions of the Act.

**Legal Basis:**

Section 221 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296).

**Alternatives:**

There are several instances throughout the proposed rule and its associated Regulatory Impact Analysis that offered alternatives for review and comment to the various criteria and procedures discussed.

**Costs and Benefits:**

This rule will improve the nutritional quality of meals served and the overall health of children participating in the CACFP. Most CACFP meals are served to children from low-income households. As described in the Regulatory Impact Analysis, the baseline is the current cost of food to CACFP providers. The rule more closely aligns the meals served in CACFP with the Dietary Guidelines in an essentially cost-neutral manner. USDA estimates that the rule will result in a very small decrease in the cost for CACFP providers to prepare and serve meals to program participants, and may result in a small, temporary increase in labor and administrative costs to implement the rule. Therefore, it is projected that no meaningful net change in cost will occur as a result of this rule.

**Risks:**

None identified.

**Timetable:**

Action	Date	FR Cite
NPRM	01/15/2015	80 FR 2037
NPRM Comment Period End	04/15/2015	
NPRM Comment Period Extended	04/27/2015	80 FR 23243
NPRM Comment Period Extended End	05/27/2015	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE21

**Title:** WIC: Electronic Benefit Transfer (EBT) Implementation**Abstract:**

This rule will revise and expand regulations regarding WIC EBT at 7 CFR 246 and implement statutory provisions related to EBT as defined in the Healthy, Hunger-Free Kids Act of 2010, Public Law 11-296. The EBT requirements addressed in the rule will help standardize EBT operations, and establish implementation guidelines and timeframes.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 246 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 111-296**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/28/2013	78 FR 13549
NPRM Comment Period End	05/29/2013	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE25

**Title:** Child Nutrition Programs: Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010**Abstract:**

This final rule codifies a provision of the Healthy, Hunger-Free Kids Act (Pub. L. 111-296; the Act) under 7 CFR parts 210 and 220. Section 204 of the Act requires each local educational agency (LEA) to establish, for all schools under its jurisdiction, a local school wellness policy. The Act requires that the wellness policy include goals for nutrition, nutrition education, physical activity, and other school-based activities that promote student wellness. In addition, the Act requires that local educational agencies ensure stakeholder participation in development of their local school wellness policies, and periodically assess compliance with the policies, and disclose information about the policies to the public.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 210; 7 CFR 220 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 111-296**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/26/2014	79 FR 10693
NPRM Comment Period End	04/28/2014	
Final Action	03/00/2016	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** James F Herbert

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE29

**Title:** Requirements for the Distribution and Control of Donated Foods; and the Emergency Food Assistance Program: Implementation of the Agricultural Act of 2014

**Abstract:**

This rule revises and clarifies requirements in 7 CFR part 250 to ensure that USDA-donated foods are distributed, stored, and managed in the safest, most efficient, and cost-effective manner at State and recipient agency levels.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 5 U.S.C. 301; 7 U.S.C. 612(c); 15 U.S.C. 713(c); 22 U.S.C. 1922; 42 U.S.C. 1751

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	10/22/2014	79 FR 63223
NPRM Comment Period End	01/20/2015	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE30

**Title:** Administrative Reviews in the School Nutrition Programs

**Abstract:**

This rule will amend National School Lunch Program and School Breakfast Program regulations to implement section 207 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111-296). Section 207 of the Act requires the Secretary to establish a unified system of reviews to ensure local school food authorities participating in the lunch and breakfast programs comply with program requirements. This rule will amend existing regulations found at 7 CFR parts 210 and 220 to revise, update, and streamline the administrative review requirements consistent with the provisions of section 207 of the Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 210; 7 CFR 220 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 111-296

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/11/2015	80 FR 26846
NPRM Comment Period End	07/10/2015	
Final Action	04/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE33

**Title:** SNAP: Employment and Training Program Monitoring, Oversight and Reporting Measures

**Abstract:**

This rule implements the employment and training (E&T) provisions of section 4022 (a)(2) of the Agricultural Act of 2014. Section 4022 (a)(2) of the Agricultural Act of 2014 requires the Department to monitor and assess State agencies' E&T programs' effectiveness in preparing participants for employment and increase the number of participants who obtain and retain employment subsequent to participating in E&T programs. It also requires USDA to develop national reporting measures and for State agencies to report data on additional state-specific measures to the Department. Finally, State agencies are required to submit reports on the impact of certain E&T components and, in certain States, the E&T services provided to able-bodied adults without dependents.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Food and Nutrition Service ( FNS )**

RIN: 0584-AE36

**Title:** Supplemental Nutrition Assistance Program Requirement for National Directory of New Hires Wage Verification and Periodic Program Activity Reporting

**Abstract:**

Pursuant to changes in the Agricultural Act of 2014, Section 4013, States are required to verify applicant wage data through the National Directory of New Hires (NDNH) for the determination of eligibility and correct amount of benefits at the time of certification.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 273 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 113-79

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Federalism:** No

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Food and Nutrition Service ( FNS )**

RIN: 0584-AE40

**Title:** Supplemental Nutrition Assistance Program (SNAP): Implementation of the Agricultural Act of 2014 Purchasing and Delivery Services for the Elderly and Disabled**Abstract:**

This rule will revise program regulations to implement changes made by the Agricultural Act of 2014 (the 2014 Farm Bill), which amends the definition of retail food store" in the Food and Nutrition Act of 2008 (the FNA) to include governmental or private nonprofit food purchasing and delivery services (P&D Services) that purchase and deliver food to households in which the head of household is an individual who is unable to shop for food, and who is 60 years of age or older, or physically or mentally handicapped or otherwise disabled. Expansion of the definition of retail food store" to allow P&D Services to become authorized Supplemental Nutrition Assistance Program (SNAP) retailers is expected to increase accessibility to the program for homebound elderly and disabled persons.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 271; 7 CFR 274; 7 CFR 278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/15/2015	80 FR 41442
NPRM Comment Period End	09/14/2015	
Final Action	09/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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Food and Nutrition Service ( FNS )**

RIN: 0584-AE06

**Title:** Supplemental Nutrition Assistance Program Employment and Training: Outcome Performance Measures

**Abstract:** Section 16(h)(5) of the 2008 Food and Nutrition Act (the Act) provides that the Secretary shall monitor the employment and training (E&T) programs carried out by State agencies under section 6(d)(4) of the Act to measure their effectiveness in terms of the increase in the numbers of household members who obtain employment and the numbers of such members who retain such employment as the result of their participation in such E&T programs. This rule will establish outcome performance measures for the Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) Program and require the reporting of this information.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 2008 Food and Nutrition Act**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	03/17/2014	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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Food and Nutrition Service ( FNS )**

RIN: 0584-AE35

**Title:** Supplemental Nutrition Assistance Program: Agricultural Act of 2014 Medical Marijuana Exclusion**Abstract:**

This final rule would implement the provision under Section 4005 of the Agricultural Act of 2014 (Public Law 113-79), February 7, 2014. Under Section 4005, the Department of Agriculture, Food and Nutrition Service (FNS), is instructed to promulgate regulations to explicitly prohibit States from deducting medical marijuana costs from a household's income for SNAP purposes.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	03/26/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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Food and Nutrition Service ( FNS )**

RIN: 0584-AE48

**Title:** Supplemental Nutrition Assistance Program (SNAP): Agricultural Act of 2014 Non-Discretionary Provisions**Abstract:**

This final rule implements several non-discretionary provisions from the Agricultural Act of 2014 (the Farm Bill), and as such is being cleared as a final rule, without comments (i.e., Straight to Final). One provision was initially drafted as a single final rule titled, Supplemental Nutrition Assistance Program: Agricultural Act of 2014, Medical Marijuana Exclusion. Under Section 4005, the Department of Agriculture, Food and Nutrition Service (FNS), is instructed to promulgate regulations to explicitly prohibit States from deducting medical marijuana costs from a household's income for SNAP purposes.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 275 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	09/03/2015	80 FR 53240
Final Action Effective	11/02/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Charles H Watford

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Forest Service ( FS )**

RIN: 0596-AC46

**Title:** Small Business Administration Timber Sale Set-Aside Program (Directive)**Abstract:**

The Forest Service is proposing a revision of its policy procedures in Forest Service Handbook 2409.18, Timber Sale Preparation Handbook, chapter 90, Programs With Small Business Administration, to drop structural changes in the Forest Service Directives. This proposed revision would better reflect the current timber sale program, make the recomputation process as fair as possible, and simplify the process by which market share is determined. This proposed policy change would not affect scheduled and special recomputations.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 36 CFR 223.118

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Directive	08/01/2006	71 FR 43435
Proposed Directive Comment Period Extended	09/29/2006	71 FR 57462
Proposed Directive Comment Period End	10/02/2006	
Proposed Directive Comment Period Extended End	12/11/2006	
Proposed Directive	04/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Forest Service (FS)**

**RIN:** 0596-AC65

**Title:** Administrative Issuances; Involving the Public in the Formulation of Forest Service Directives (Rule)

**Abstract:**

The Forest Service Directive System codifies the agency's policy, practice, and procedure. It is the primary administrative basis for the internal management and control of all agency programs and the primary source of administrative direction to Forest Service employees. In accordance with Executive Order 12866 on regulatory planning and review, as well as recent litigation regarding the publication of Forest Service directives for comment prior to issuance, the Forest Service plans to revise its regulation at Title 36, Code of Federal Regulations (CFR), at section 200.4, which describes the Forest Service administrative issuance system (the Directive System), its use and availability, and other types of permissible guidance. Title 36 CFR, part 216 also would be revised to provide the agency with additional tools to involve the public in the formulation of Forest Service directives.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 2.7; 36 CFR 200.4; 36 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 16 U.S.C. 1612(a)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Forest Service (FS)**

**RIN:** 0596-AC96

**Title:** Wilderness Management Policy (Directive)

**Abstract:**

The agency is proposing to update the Wilderness Management Policy, FSM 2320, that was revised in 1990, as a result of the accumulations of cultural, technological, and demographic changes, affecting all aspects of wilderness administration. With the passage of numerous bills designating additional wilderness areas in the past 20 years, Forest Service wilderness makes up about 18 percent of the National Forest System, over 36 million acres, and encompasses a broad spectrum of ecological communities, some of which were not represented before 1990, and which bring new complexity and management challenges not currently addressed in policy.

Current directives do not take into account provisions from recent legislation and legislation that has occurred since 1990 (for example, Americans with Disabilities Act). Significant court rulings have prompted the Agency to update and refine its policy. Inconsistent interpretations also have resulted from lack of clarity in policy.

The Forest Service proposes to update existing wilderness policy. Wilderness is an integrated resource that contains multiple resource areas requiring specific management to adhere to the legal framework of the Wilderness Act. Proposed directives would refine current policy direction in a number of program areas including wildlife, fish and rare plants, planning, heritage resources, recreation, and fire. Revised policy will provide both our internal organization and our external audiences a clear understanding of Forest Service wilderness management direction.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** FSM 2320**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Directive	05/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda C King

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E-Mail: [larendacking@fs.fed.us](mailto:larendacking@fs.fed.us)**Department of Agriculture (USDA)****Forest Service (FS)****RIN:** 0596-AD05**Title:** National Forest System Invasive Species Management Handbook (Directive)**Abstract:**

Management activities to address the threats and impacts of invasive species across the National Forest System (NFS) are guided by a general, broad policy articulated in the proposed Forest Service Manual 2900 (NFS Invasive Species Management). The specific requirements, standards, criteria, rules, and guidelines for Forest Service staff to manage invasive species on NFS lands effectively will be provided in a handbook which will tier to FSM 2900. The proposed handbook will be issued through the Directives system.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 222 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 U.S.C. 473 et seq; 16 U.S.C. 528 et seq; 16 U.S.C. 1600 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Directive	01/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda C King

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E-Mail: [larendacking@fs.fed.us](mailto:larendacking@fs.fed.us)**Department of Agriculture (USDA)****Forest Service (FS)****RIN:** 0596-AD23**Title:** Community Forest and Open Space Conservation Program (Rule)**Abstract:**

The Forest Service is proposing to revise the final rule implementing the Community Forest and Open Space Program (Community Forest Program or CFP). After selecting and awarding the first round of grants using the initial rule, the agency realized the current regulation (36 CFR 230 subpart A) had some inconsistencies and lacked in efficiency, hindering the agency from fully meeting the intent and purposes of the Community Forest Program.

One of the critical inconsistencies can be found in section 230.8, which specifies the acquisition requirements that grant recipients must follow. Subpart 230.8(a) (5) lists the documents and statements that must be recorded with the deed as part of the Notice of Grant Requirement. The particular item of concern is 230.8(a)(5)(vii), which states that "... the grant recipient will not convey or encumber the interest in real property, in whole or in part, to another party...". This language is overly restrictive and inconsistent with the grant assurances (OPM Form 424D), preventing eligible entities from using funding mechanisms that may require a conservation easement that are compatible with CFP requirements. It also prevents the transfer of ownership to another eligible entity if the recipient becomes unable to hold or maintain the Community Forest. While unlikely in the short term, in the long term there could be a need to transfer ownership. We propose to change this section to provide clear and consistent guidance to partners and future applicants, greater flexibility in meeting funding requirements, and access to other conservation tools consistent with CFP.

Additionally, the agency seeks to reduce the amount of paperwork and information collected during the application phase. Currently the agency requests an eight-page application, a map, all forms required for issuing a grant, and a draft community forest plan. We have determined that the current application process is more burdensome on applicants than is necessary and all elements of the current process are not necessary to select quality community forest projects that meet the intent of the program.

Lastly, the agency seeks to clarify definitions and the use of technical assistance funds. Some of the definitions in the final rule were unclear and confused the intention of the program. The agency seeks to provide clarification and reduce the amount of confusion caused by the unclear definitions.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 230.8(a)(5)(vii) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** sec 8003 of the Food, Conservation, and Energy Act of 2008 (Pub. L.110-234; 122 Stat 2043), which amends the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103d)

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda King Department of Agriculture

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**Department of Agriculture (USDA)****Forest Service ( FS )****RIN:** 0596-AD24**Title:** Prohibitions in Region 8, Southern Region (Rule)**Abstract:**

In 1974, Congress designated the 57-mile Chattooga River (and its 15,432-acre corridor) as a component of the National Wild and Scenic River System. The uppermost portion of the Chattooga Wild and Scenic River (W&SR) is located in the Nantahala National Forest (NF) in North Carolina. The river flows in a southerly, southwesterly direction to form the boundary between the Chattahoochee National Forest (in Georgia) and the Sumter National Forest (in South Carolina). In the initial 1976 river management plan for the Chattooga River, the U.S. Forest Service used zoning to manage the upper and lower segments of the river for different recreational opportunities. As a part of that initial zoning effort, management direction prohibited floating on the upper segment above GA/SC Highway 28 (which includes a section of the river in the Sumter NF, a section of the river in the Chattahoochee NF, and all of the sections of the river in the Nantahala NF). Under the authority of 36 CFR 261.70(a)(7), these prohibitions were codified at 36 CFR 261.77 (in January 1978). In general terms, 36 CFR 261.77 prohibits floating activities on the Chattooga W&SR unless authorized by a permit. Consistent with the river management plan that was incorporated into the forest plans, the original terms and conditions of the permits issued pursuant to 36 CFR 261.77 allowed floating on the Chattooga W&SR, but only on that portion of the river located downstream of GA/SC Highway 28. On January 31, 2012, the Chattahoochee, Nantahala, and Sumter NFs issued Decision Notices that amended their Forest Plans to incorporate new management direction for the Chattooga W&SR. Generally, these new decisions allow floating above GA/SC Highway 28 with certain restrictions. To be consistent with this new management direction, the agency is proposing to amend 36 CFR 261.77.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 7 U.S.C. 1011(f); 16 U.S.C. 472, 551, 620(f), 1133(c), &(d)(1), 1246(i)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Rule	02/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda King Department of Agriculture

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**Department of Agriculture (USDA)****Forest Service ( FS )****RIN:** 0596-AD26**Title:** Colorado Roadless Rule--North Fork Coal Mining Exception (Rule)**Abstract:**

The 2012 Colorado Roadless Rule (CRR) provides management direction for conserving and managing approximately 4.2 million acres of Colorado Roadless Areas (CRAs) on National Forest System (NFS) lands. The State of Colorado and Forest Service worked in partnership to strike a balance between conserving roadless area characteristics for future generations and allowing management activities within CRA that are important to the citizens and economy of the State of Colorado.

As part of that balance, the CRR included an exception to its general prohibition on road construction in CRAs: the North Fork coal mining exception. This exception allowed temporary road construction in CRAs for coal-related surface activities within a 19,100-acre area on the Grand Mesa, Uncompahgre, and Gunnison National Forests (36 C.F.R. 294.43(c)(1)(ix)). On September 11, 2014, the Colorado U.S. District Court vacated this provision of the CRR for National Environmental Policy Act (NEPA) deficiencies.

The Forest Service proposes to remedy the court-identified NEPA deficiencies in a supplemental environmental impact statement and re-establish this exception to the CRR. In addition, the Forest Service is proposing to administratively correct the North Fork coal mining area boundary and the underlying CRA boundaries to remedy clerical errors. Total acres of the North Fork coal mining area would increase from 19,100 acres to 19,700 acres, the majority of the change (500 acres) is due to a math error found in the 2012 Final Environmental Impact Statement.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** None**Unfunded Mandates:** No**CFR Citation:** 36 CFR 294, subpart D (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** None**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Rule	03/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Forest Service ( FS )**

**RIN:** 0596-AC42

**Title:** Resource Agency Procedures for Conditions and Prescriptions in Hydropower Licenses (Rule)

**Abstract:**

This rule establishes procedures for trial-type hearings on disputed issues of material fact with respect to conditions and prescriptions developed for inclusion in hydropower licenses issued by the Federal Energy Regulatory Commission. It also establishes procedures to submit and consider alternative conditions and prescriptions. We will publish a revised interim rule with request for comments that responds to comments received on the 2005 interim rule. The timing of the final action will depend upon the nature and extent of the comments we receive.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 7 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Pub. L. 109-58

**Legal Deadline:** Public Law 109-58 charges agencies requiring mandatory conditions and prescriptions with the promulgation of new regulations by November 7, 2005, to provide the regulatory framework to implement a trial-type hearing process.

Action	Source	Description	Date
Other	Statutory		11/07/2005

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/2004	69 FR 54602
NPRM Comment Period End	11/08/2004	
Interim Final Rule	11/17/2005	70 FR 69804
Interim Final Rule Comment Period End	01/17/2006	
Second Interim Final Rule	03/31/2015	80 FR 17156
Second Interim Final Rule Effective	04/30/2015	
Second Interim Final Rule Comment Period End	06/01/2015	
Final Action	02/00/2016	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related Agencies:** Joint : DOI; Joint : DOJ; Joint : DOC

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**Department of Agriculture (USDA)**

**Forest Service ( FS )**

**RIN:** 0596-AC71

**Title:** Water Quality Management and Best Management Practices for Water and Soil Conservation (Directive)

**Abstract:**

A new servicewide handbook, Best Management Practices (BMPs) for Water and Soil Conservation, is proposed to provide consistent national guidance for implementing the agency's nonpoint source pollution control program in accordance with the Federal Water Pollution Control Act (commonly referred to as Clean Water Act; 33 U.S.C. 1251 et seq.), Safe Drinking Water Act (42 U.S.C. 311f et seq.), Department regulation (9500-007), and agency policy (FSM 2532). Minor revisions to Agency policy to acknowledge and institutionalize the new handbook also are expected.

This handbook and guidance will formalize this program. Existing regional BMPs, soil and water conservation practices, and monitoring programs that have proven to be successful are the foundation of the policy. Common aspects of these programs are being combined to standardize and streamline current Forest Service nonpoint source water pollution prevention programs for improved efficiency, consistency, and reporting.

The Forest Service National BMP Program has two parts: a set of BMPs that will encompass water resource protection measures for a full range of National Forest System land management activities; and a monitoring program to determine if practices are implemented and effective at meeting water resource and beneficial use protection objectives.

Consolidating the many existing field-issued handbooks into one national servicewide handbook is prompting both extensive internal review and broad external review with interested stakeholders. These reviews, which have not yet been initiated, are critical to the success of implementing a consistent national program.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 33 U.S.C. 1251; 42 U.S.C. 311f

**Legal Deadline:** None

## Timetable:

Action	Date	FR Cite
NPRM	05/06/2014	79 FR 25824
NPRM Comment Period End	07/07/2014	
NPRM Comment Period Reopened	07/22/2014	79 FR 42500
NPRM Comment Period Reopened End	08/21/2014	
Final Directive	08/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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## Department of Agriculture (USDA)

## Forest Service ( FS )

RIN: 0596-AC73

Title: Burned Area Emergency Response (BAER) (Directive)

## Abstract:

The Forest Service published in the Federal Register a Notice of Interim Directive on June 6, 2013 (78 FR 34031), which proposed revisions to Forest Service Manual (FSM) 2523, Burned Area Emergency Response (BAER). These revisions clarify the objective of the BAER program; provide clear policy for regions or forests to conduct post-fire emergency stabilization while applying appropriate cost constraints in order to avoid fire transfer of funds; assign approval authority to the regional foresters (currently the Washington Office director of Watershed, Fish, Wildlife, Air, and Rare Plants); provide a definition of a BAER emergency; define several other key terms; enumerate the program constraints; clarifies the distinction between the BAER and post-fire rehabilitation programs; establish a new process for the BAER program; and establish oversight for program accountability.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: FSM 2523

Legal Deadline: None

## Timetable:

Action	Date	FR Cite
Notice of Interim Directive	06/06/2013	78 FR 34031
Notice of Interim Directive Comment Period End	07/08/2013	
Comment Period End	08/23/2013	
Final Rule	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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## Department of Agriculture (USDA)

## Forest Service ( FS )

RIN: 0596-AC82

Title: Forest Service Manual 2020--Ecological Restoration and Resilience Policy (Directive)

## Abstract:

This policy establishes a common definition for ecological restoration and resilience that is consistent with the 2012 Land Planning rule. The directive provides additional guidance to implement the definition throughout Forest Service program areas by incorporating it into the Forest Service Manual. Restoration objectives span a number of initiatives in various program areas, including the invasive species strategy; recovery of areas affected by high-severity fires, hurricanes, and other catastrophic disturbances; fish habitat restoration and remediation; riparian area restoration; conservation of threatened and endangered species; and restoration of impaired watersheds and large-scale watershed restoration projects. The restoration policy allows agency employees to communicate Forest Service work more effectively in meeting restoration needs at the local, regional, and national levels. Currently an internal Forest Service interim policy for this final directive has been implemented in the field units. This final directive aligns the Forest Service policy with current ecological restoration science and with congressional and Forest Service authorizations and initiatives.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: FSM 2020

Legal Deadline: None

## Timetable:

Action	Date	FR Cite
Proposed Directive	09/12/2013	78 FR 56202
Proposed Directive Comment Period End	11/12/2013	
Final Directive	04/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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**Department of Agriculture (USDA)**  
**Forest Service ( FS )**

RIN: 0596-AD00

**Title:** Forest Products for Traditional and Cultural Purposes (Rule)**Abstract:**

The current regulations at 36 CFR part 223, subpart A, do not include the authority to grant trees, portions of trees, or forest products to federally recognized Indian tribes, free of charge, for non-commercial traditional and cultural purposes (pursuant to sections 8102 and 8105, Public Law 110-246, 122 Stat. 1651 (2008)). However, during the regulation promulgation process, Forest Service officials currently are providing such products, subject to their delegation of authority under 36 CFR 223.8 (per an interim directive issued on December 2, 2009, to FSH 2409.18, chapter 80 (ID-2409.18-2009-2)). The delegation of authority under 36 CFR 223.8 does not limit the quantity or value of what the federally recognized Indian tribe may request; it simply states which Forest Service official may actually authorize the Indian tribe's request (based on product value).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 220.6 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 110-246**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/31/2014	79 FR 44327
NPRM Comment Period End	09/29/2014	
Final Rule	05/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No

Energy Affected: No

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**Department of Agriculture (USDA)**  
**Forest Service ( FS )**

RIN: 0596-AD12

**Title:** Ski Area Definition--Land Uses, Special Uses (Rule)**Abstract:**

This final rule codifies a nondiscretionary provision of the Ski Area Recreational Opportunities Act (Pub. L. 112-46). This final rule amends the definition of a ski area at 36 CFR 251.51 to note that other natural resource-based, seasonal and year-round recreational uses and facilities may be authorized, provided that the primary purpose of the site remains skiing and other snow sports.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 251 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 112-46**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/28/2013	78 FR 38842
Interim Final Rule Effective	07/29/2013	
Final Rule	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

Energy Affected: No

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**Department of Agriculture (USDA)**

## Forest Service ( FS )

RIN: 0596-AD14

**Title:** Ski Area--D Clauses: Resource and Improvement Protection, Water Facilities, and Water Rights (Directive)**Abstract:**

On November 8, 2011, the Forest Service issued an interim directive (FSH 2709.11-2011-3) including a revised clause to address the ownership of water rights developed on National Forest System (NFS) lands for use by ski area permit holders. On March 6, 2012, a second interim directive (FSH 2709.11-2012-1) for the revised ski area water rights clause was issued, superseding the 2011 version. The National Ski Areas Association filed a lawsuit in the United States District Court for the District of Colorado on March 12, 2012, opposing use of the revised clause. On December 19, 2012, the court ruled that the Forest Service had erred in not providing an opportunity for notice and comment on the interim directive and that the agency needed to conduct a Regulatory Flexibility Act analysis of the impact of the directive on small business entities that hold ski area permits. The court vacated the interim directive and enjoined enforcement of the 2011 and 2012 clauses in permits containing them. The proposed directive would address the development of water facilities on NFS lands; the ownership of preexisting and future water rights; mechanisms to ensure sufficient water remains for ski areas on NFS lands; and measures necessary to protect NFS lands and resources. The Forest Service published the proposed ski area water rights clause in the Federal Register for public notice and comment. To identify interests and views from a diverse group of stakeholders regarding a revised water rights clause for ski areas, the Forest Service held four stakeholder meetings in April 2013. The input from the stakeholder sessions was considered in the development of the final water rights clause for ski areas.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** FSH 2709.11**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Directive	06/23/2014	79 FR 35513
Proposed Directive Comment Period End	08/22/2014	
Final Directive	03/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda C King

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## Department of Agriculture (USDA)

## Forest Service ( FS )

RIN: 0596-AD16

**Title:** FSM 2358 National Saw Program--Sawyer Evaluation and Certification (Directive)**Abstract:**

The Forest Service published a proposed directive in the Federal Register on July 24, 2015. The comment period ended on September 22, 2015. After analyzing comments, the Forest Service plans to publish a final directive to establish national saw programmatic direction and address this policy void. This final directive is necessary to ensure the safe use of saws on national forests and grasslands throughout the country. Chain saws and crosscut saws are dangerous tools that can inflict severe and sometimes critical injuries if not used properly.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** FSM 2300; FSH 6709.11**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Directive	06/17/2015	80 FR 14817
Comment Period End	08/17/2015	
Final Directives	02/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda King Department of Agriculture

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## Department of Agriculture (USDA)

## Forest Service ( FS )

RIN: 0596-AD20

**Title:** Commercial Filming in Wilderness (Directive)**Abstract:**

The agency published a proposed directive that would establish consistent national guidance and criteria for evaluating special use permit proposals for still photography and commercial filming in congressionally designated wilderness areas on national forests. The agency will consider comments received from proposed directive and decide if moving forward with a final directive on Commercial Filming in the Wilderness is feasible at this time. The final directive will set national criteria for evaluating special use permit proposals for still photography and commercial filming in congressionally designated wilderness areas on national forests.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 88-577; FSM 2700; FSM 2320**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Proposed Directive	09/04/2014	79 FR 52626
Proposed Directive Comment Period End	12/03/2014	
Final Directive	03/00/2016	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda King Department of Agriculture

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**Department of Agriculture (USDA)****Forest Service ( FS )****RIN:** 0596-AD25**Title:** Stewardship End Result Contracting (Rule)**Abstract:**

Section 8205 of Public Law 113-79, the Agricultural Act of 2014, provided permanent authority for Stewardship End Result Contracting and Agreements. This Final Rule will codify the regulations implementing the stewardship permanent authority. The permanent authority supersedes and is nearly identical to the temporary 10-year authority that was authorized under Consolidated Appropriations Resolutions Act of 1999 (as amended by section 323 of Pub. L. 108-7; 16 U.S.C 2104 Note). In general, the Forest Service and the Bureau of Land Management may enter into stewardship contracting projects with private persons or other public entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

This will codify existing policy (see Specifics) to provide greater uniformity in the administration of the various contract and agreement mechanisms used by the Forest Service to implement stewardship end result contracting projects.

Specifics: Adds new subpart I to the 36 CFR 223, Sale and Disposal of National Forest System Timber, Special Forest Products, and Forest Botanical Products regulation.

- Notes the applicable Act that provides permanent authority for stewardship end results contracting.
- Explains the approaches to providing timber and exchanging goods for services through procurement services contracts, sale of public property (timber sales), and agreements.
- Provides method to determine the type of contract or agreement.
- Notes that the selection of source for performance of a stewardship agreement or contract be on a best-value basis.
- Notes that stewardship end result procurement contracts are administrated under the Federal Acquisition Regulation.
- Provides for a fire liability provision in line with the requirements in the 2014 Farm Bill.
- Identifies the provisions of subparts of A and B of 36 CFR 223 that apply to procurement contracts utilizing the stewardship end result contracting authority.
- Identifies the provisions of subparts of A and B of 36 CFR 223 that do not apply to property contracts utilizing the stewardship end result contracting authority.
- Notes that the Forest Service may enter into an agreement in lieu of a contract and that Federal Financial relationships are not applicable to such agreements.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 233 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79, sec. 8205 of the Agricultural Act of 2014**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule	12/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** LaRenda King Department of Agriculture

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**Department of Agriculture (USDA)****Forest Service ( FS )****RIN:** 0596-AC92**Title:** Threatened, Endangered, and Sensitive (TES) Plants and Animals; TES Habitat Management; and Biodiversity Conservation Guidance (Directive)**Abstract:**

The Forest Service is proposing modifications to FSM 2670, Threatened, Endangered, and Sensitive (TES) Plants and Animals. The proposed directive would set forth direction to ensure compliance with existing laws, regulations, and agency policies; and to reflect current conservation biology, knowledge, management practices, and emerging ecosystem and TES species-related topics and issues. The changes to FSM 2670 are expected to provide more effective guidance to agency personnel regarding the Endangered Species Act and its regulations, the 2000 National Forest Management Act planning regulations, and agency strategies and policies on all aspects of conservation management for at-risk species and their habitats.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** FSM 2670

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Directive		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**

**Forest Service (FS)**

**RIN:** 0596-AD03

**Title:** Management of Surface Activities Associated With Outstanding Mineral Rights on National Forest System Lands (Directive)

**Abstract:**

Close to 11,000,000 acres (approximately 6 percent) of National Forest System (NFS) lands overlie severed (split) mineral estates owned by a party other than the Federal Government. More than 75 percent of these lands are in the Eastern Region (Forest Service Regions 8 and 9). There are two kinds of severed mineral estates, generally known as "private rights": reserved and outstanding. Reserved mineral rights are those retained by a grantor in a deed conveying land to the United States. Outstanding mineral rights are those owned by a party other than the surface owner at the time the surface was conveyed to the United States. Because these are non-Federal mineral interests, the U.S. Department of the Interior's Bureau of Land Management has no authority for or role in managing development activities associated with such interests. States have the authority and responsibility for regulating development of the private mineral estate.

Various Secretary's Rules and Regulations (years of 1911, 1937, 1938, 1939, 1947, 1950, and 1963) and Forest Service regulations at 36 CFR 251.15 provide direction for the use of NFS lands for mineral development activities associated with the exercise of reserved mineral rights. These existing rules for reserved minerals development activities also include requirements for protection of NFS resources.

Currently, there are no formal regulations governing the use of NFS lands for activities associated with the exercise of outstanding mineral rights underlying those lands. The Energy Policy Act of 1992, section 2508, directed the Secretary of Agriculture to apply specified terms and conditions to surface-disturbing activities related to development of oil and gas on certain lands with outstanding mineral rights on the Allegheny National Forest, and promulgate regulations implementing that section.

The Forest Service initiated rulemaking for the use of NFS lands for development activities associated with both reserved and outstanding minerals rights with an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register on December 29, 2008. Comments from the public in response to the ANPRM conveyed a high level of concern about the broad scope of the rule, along with a high level of concern about effects of a broad rule on small businesses and local economies.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 36 CFR 251 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** EPA 1992

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM		
ANPRM	12/29/2008	73 FR 79424
ANPRM Comment Period End	02/27/2009	

**Regulatory Flexibility Analysis Required:** Governmental Jurisdictions

**Government Levels Affected:** State

**Federalism:** No

**Energy Affected:** Undetermined

**Related RINs:** Merge with 0596-AC87

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**Department of Agriculture (USDA)**

**Forest Service (FS)**

**RIN:** 0596-AD15

**Title:** American Indian and Alaska Native Relations (Directive)

**Abstract:**

The proposed revisions are to Forest Service Manual 1560, State, Tribal, County and Local Agencies, and Forest Service Handbook 1509.13, American Indian and Alaska Native Relations Handbook, chapter 10--Consultation with Tribes and Alaska Native Cooperation. The proposed directives revises the direction due to changes in authorities and regulations, the need to implement the U.S. Department of Agriculture Sacred Sites Report, and the pending expiration of the interim directive on tribal consultation. The proposed changes provide a logical opportunity to further clarify requirements for staff in the field who are responsible for implementing the Culture and Heritage Cooperative Authority (initiated by the 2008 Farm Bill and found at 25 U.S. Code 32A) and incorporate new regulations such as the USDA Departmental Regulation on Tribal Consultation, Cooperation, and Collaboration into Agency directives. The revised directives provide expanded detail to help Forest Service staff more clearly understand the mandates required and complexities of tribal relations. Complete revision of both the Tribal Relations Manual and Handbook provide an opportunity to align both documents to locate information more easily. The proposed revisions have been out for Tribal Consultation since June 6, 2013. A 60-day public comment period will conclude all public engagement before finalizing directives.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** FSM 1563; FSH 1509.13

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Proposed Directive	07/24/2015	80 FR 44019
Comment Period End	09/22/2015	
Final Directive	01/00/2017	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Forest Service ( FS )**

**RIN:** 0596-AD22

**Title:** Idaho Roadless Rule--Caribou-Targhee National Forest Modification (Rule)

**Abstract:**

Pursuant to 36 CFR section 294.27(b) of the Idaho Roadless Rule, the Chief of the Forest Service may modify Idaho Roadless Areas after a 45-day public notice and opportunity to comment. The Caribou-Targhee National Forest needs to modify the boundary of the West Mink Roadless Area to relocate and expand the Gibson Jack trailhead. The Gibson Jack Trail on the Caribou-Targhee National Forest is used heavily by the public. This trailhead is the closest access for Pocatello, Idaho, residents to National Forest System land. The existing trailhead does not provide adequate parking to accommodate the trail's high level of use. This has resulted in impacts to adjacent private land from vehicles being parked along the access road to the trailhead and has caused erosion and sedimentation impacts on a nearby stream. The boundary of the West Mink Roadless Area surrounds the trailhead on three sides. Expansion of the trailhead in its existing location is not feasible because of the presence of steep, erodible slopes. A closed Forest Service Road, which currently serves as a non-motorized trail, provides access to a bench approximately 700 feet west of the existing trailhead that is within the roadless area. This flat bench, just inside the roadless area, would provide adequate space to accommodate trailhead parking and for vehicles pulling ATV and horse trailers.

**Proposed Action:** The Forest Service proposes to modify the boundary of the West Mink Roadless Area pursuant to 36 CFR section 294.27(b) of the Idaho Roadless Rule to allow for the construction of a new, expanded trailhead. A closed Forest Service road, which currently serves as a non-motorized trail, provides access to a bench approximately 700 feet west of the existing trailhead. This flat bench, just inside the roadless area, would provide adequate space to accommodate trailhead parking and for vehicles pulling ATV and horse trailers. This modification would remove 11.4 acres from the roadless area. The Forest Service also proposes to eliminate an 18.8-acre "cherry-stem" that has been carved out of the same roadless area. This "cherry-stem" follows a closed Forest Service road, which has since been converted to a motorized trail. Incorporating these 18.8 acres into the roadless area and carving 11.4 acres out of the roadless area to accommodate the new trailhead would result in a net increase of 7.4 acres in the roadless area. These modifications would improve the area's manageability for the Caribou-Targhee National Forest. The trailhead relocation would provide improved access and safety for trail users and meet current and projected recreational use.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 36 CFR 294.27(b) of the Idaho Rule (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** none

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	07/01/2015	

**Additional Information:** This will modify the boundaries of the West Mink Idaho Roadless Area in the maps of record. There are no other feasible locations on National Forest lands to relocate the trailhead and parking lot. The Forest Service and local community planners discussed the possibility of building the trailhead down canyon on private lands. The current landowners were not interested in selling or providing an easement for a public trailhead on their lands. After completing the rule modification and completing environmental review for the trailhead relocation project, the area will be easier to manage. "Cherry-stems" within roadless areas reduce the "core" acres that contain the highest quality of roadless values. Depending on the size of a roadless area, eliminating "cherry-stems" enhances roadless area characteristics of solitude and remoteness.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of Agriculture (USDA)**  
**Office of Procurement and Property Management ( OPPM )**

RIN: 0599-AA24

**Title:** Designation of Biobased Product Categories for Federal Procurement, Round 11**Abstract:**

This proposed rule will designate, for preferred procurement under the Federal Biobased Products Preferred Procurement Program, approximately 10 intermediate ingredient or feedstock product categories. An intermediate ingredient or feedstock is defined by the BioPreferred Program as a material or compound made in whole or in significant part from biological products. Typical intermediate ingredient or feedstock product categories will include renewable chemicals; plastic resins; chemical binders; oils, fats, and waxes; and fibers and fabrics.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 2902 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Office of Procurement and Property Management ( OPPM )**

RIN: 0599-AA25

**Title:** Designation of Biobased Product Categories for Federal Procurement, Round 12**Abstract:**

This proposed rule will designate, for preferred procurement under the Federal Biobased Products Preferred Procurement Program, approximately eight complex assembly product categories. A complex assembly is defined by the BioPreferred program as a system of distinct materials and components assembled to create a finished product with specific functional intent where some or all of the system inputs contain some amount of biobased material or feedstock. Typical complex assembly product categories will include products such as upholstered office chairs and other office furniture; mattresses; backpacks; boots; and other camping gear. The specific product categories to be included in this rulemaking are under investigation by the Office of Procurement and Property Management, but technical information is expected to be available to support the designation of about eight product categories.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 2902 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-79**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2016	

**Regulatory Flexibility Analysis Required:** Business**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No

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**Department of Agriculture (USDA)**  
**Office of Procurement and Property Management ( OPPM )**

RIN: 0599-AA21

**Title:** Integrated Resource Service Contract Fire Liability Clause

**Abstract:**

This rule regarding an acquisition regulation change is being implemented by the Office of Procurement and Property Management. The United States Department of Agriculture's Forest Service has three stewardship contracting instruments (the Integrated Resources Timber Contract, Integrated Resources Services Contract, and the Stewardship Agreement). The contractors currently apply a different methodology for fire liability. Section 8205 of the Agricultural Act of 2014 contains a requirement that the Agency use a fire liability provision in all stewardship contracts and agreements this is in substantially the same form as the fire liability provisions contract in the Integrated Resource Timber Contract in Forest Service Contract numbered 2400-13, part H, section H.4; as in effect on February 7, 2014; and Timber Sales Contracts conducted in pursuant to section 14 of the National Forest Management Act of 1976 (U.S.C. 472a).

**Priority:** Info/Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 48 CFR 436 and 452 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** sec 8205 of the Agricultural Act of 2014 (2014 Act)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/22/2014	79 FR 29369
Interim Final Rule Effective	05/22/2014	
Interim Final Rule Comment Period End	06/23/2014	
Final Action	11/00/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Curt Brown Department of Agriculture

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E-Mail: [curt.brown@dm.usda.gov](mailto:curt.brown@dm.usda.gov)**Department of Agriculture (USDA)****Office of Procurement and Property Management ( OPPM )****RIN:** 0599-AA22**Title:** Voluntary Labeling Program for Biobased Products: Mature Market Products**Abstract:**

Amendments to provide the framework for implementing the requirement that USDA include innovative products (including forest, pulp, and paper) in the "USDA Certified Biobased Product" voluntary labeling program, thus overriding current regulatory provisions excluding "mature market" products from the labeling program should be published in July 2015.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 3202 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 7 U.S.C. 8102**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/27/2014	79 FR 63846
NPRM Comment Period End	12/26/2014	
Final Rule	06/15/2015	80 FR 34030
Final Action Effective	07/15/2015	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Ron Buckhalt

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E-Mail: [ronb.buckhalt@dm.usda.gov](mailto:ronb.buckhalt@dm.usda.gov)**Department of Agriculture (USDA)****Office of Procurement and Property Management ( OPPM )****RIN:** 0599-AA23**Title:** Guidelines for Designating Biobased Products for Federal Procurement: Mature Market Products**Abstract:**

Amendments to provide the framework for implementing the requirement that USDA include innovative products (including forest, pulp, and paper) in the Federal procurement preference program, thus overriding current regulatory provisions excluding "mature market" products, should be published in July 2015.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 7 CFR 3201 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 7 U.S.C. 8102**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/27/2014	79 FR 63841
NPRM Comment Period End	12/26/2014	

Final Rule	06/15/2015	80 FR 34023
Final Action Effective	07/15/2015	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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