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OFFICE OF GOVERNMENT ETHICS

5 CFR Part 2636

Regulation Requiring Confidential Reporting of Payments to Charitable Organizations in Lieu of Honoraria; Further Deferral of Effective Date

AGENCY: Office of Government Ethics.

ACTION: Further deferral of effective date of interim rule provision.

SUMMARY: The Office of Government Ethics (OGE) is further deferring the effective date of its interim rule for the executive branch on confidential reporting of payments to charities in lieu of honoraria (see 56 FR 1727-1728, January 17, 1991 and 56 FR 21589, May 10, 1991). The regulation, 5 CFR 2636.205, will now become effective on February 18, 1992.

DATES: The effective date of 5 CFR 2636.205 is further deferred until February 18, 1992.

ADDRESSES: Any comments or questions should be sent to William E. Gressman, Office of Government Ethics, suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917.

FOR FURTHER INFORMATION CONTACT: Mr. Gressman of OGE at the address above, telephone (202/FTS) 523-5757, FAX (202/FTS) 523-6325.

SUPPLEMENTARY INFORMATION: The Office of Government Ethics published 5 CFR 2636.205, the confidential reporting provision for payments to charitable organizations in lieu of honoraria, as an interim rule in the Federal Register on January 17, 1991 and provided for an effective date of May 15, 1991 (see 56 FR 1721-1730). The remainder of that interim regulation, 5 CFR part 2636, entitled "Limitations on Outside Employment and Prohibition of Honoraria: Confidential Reporting of Payments to Charities in Lieu of Honoraria," was effective January 1,

1991 and continues in effect. On May 10, 1991, OGE deferred the effective date of § 2636.205 until October 15, 1991 in order to allow more time to adopt a new reporting form; as noted below, OGE now needs additional time to complete that process.

OGE continues to work on a draft confidential standard reporting form to collect the information specified in 5 CFR 2636.205 and the underlying section of the Ethics in Government Act as amended, 5 U.S.C. appendix 102(a)(1)(A). Because the new form will collect information from some members of the public (terminees who file after leaving the Government) as well as current Federal employees, it must be submitted to the Office of Management and Budget (OMB) for review and approval under the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35 (the § 2636.205 regulation itself was approved thereunder by OMB on April 10, 1991). In addition, since the form will be a standard form, OGE will also submit it to the General Services Administration (GSA) for its review and approval in accordance with standard form clearance procedures. In order to allow an adequate amount of time for OGE to finish preparing the new reporting form, submit it to OMB and GSA for approval, and provide for a public comment period before final issuance of the form, the Office of Government Ethics has determined to further defer the effective date of the 5 CFR 2636.205 reporting regulation until February 18, 1992.

Approved: October 7, 1991.

Stephen D. Potts,

Director, Office of Government Ethics.

[FR Doc. 91-24588 Filed 10-10-91; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 75

[No. LS-90-112]

Increase Testing Fees for Inspection and Certification of Quality of Agricultural and Vegetable Seeds Under the Agricultural Marketing Act of 1946

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends 7 CFR part 75 by increasing the applicable fees for testing seed under the voluntary seed inspection and certification program. The increased fees which are to be paid by the users of the service are necessary because of increased costs of operating the program. The increased fees are intended to generate sufficient revenue to offset the costs of operating the program. In addition, a new section is added to display the OMB control number assigned to the information collection requirements contained in part 75.

EFFECTIVE DATE: November 12, 1991.

FOR FURTHER INFORMATION CONTACT: James P. Triplitt, Chief, Seed Regulatory and Testing Branch, 301-344-4430.

SUPPLEMENTARY INFORMATION: This rule is authorized by the Agricultural Marketing Act (AMA) of 1946, as amended, 7 U.S.C. 1621 *et seq.*, which provides for voluntary seed inspection and certification services. The AMA authorizes the Secretary to inspect, and certify the quality of agricultural products and collect such fees as reasonable to cover as nearly as practicable the cost of service rendered. This revision is to increase the fees to be charged for the inspection and certification of agricultural and vegetable seeds to reflect the Department's cost of operating the program.

This action has been reviewed under Executive Order No. 12291 and Departmental Regulation 1512-1 and has been determined to be a non-major rule under the criteria contained therein. This action was also reviewed under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The Administrator of AMS has determined that this action will not have a substantial economic impact on a significant number of small entities. Although some seed growers and shippers using this service may be classified as small entities, the effect of the increased fees will be minimal. Under this final rule the average cost for a test will increase from \$41.26 to approximately \$49.98. It is estimated that the total revenue generated by this increase will be approximately \$20,000 annually.

The AMA provides for the inspection and certification of quality of