

regularly to assure they are working properly, and cleaned or replaced when necessary. The injection needle shall be disinfected by placement in water that is not less than 180 °F. for at least 10 seconds immediately prior to each injection.

(b) Transferring the caul or other fat from a fat to a lean carcass is prohibited.

(Approved by the Office of Management and Budget under control number 0583-0015).

Done at Washington, DC, on August 30, 1989.

Lester M. Crawford,

Administrator, Food Safety and Inspection Service.

[FR Doc. 89-20773 Filed 9-1-89; 8:45 am]

BILLING CODE 3410-DM-M

fee schedule reflects the changes in copying charges to the public that have resulted from the awarding of the new contract for the duplication of records at the PDR.

Because this is an amendment dealing with agency practice and procedures, the notice provisions of the Administrative Procedures Act do not apply pursuant to 5 U.S.C. 553(b)(A). In addition, the PDR users were notified on June 30, 1989, that the new contract was being awarded and that the new prices would go into effect on July 10, 1989. The amendment is effective upon publication in the *Federal Register*. Good cause exists to dispense the usual 30-day delay in the effective date because the amendment is of a minor and administrative nature dealing with agency procedures.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(1).

Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget approval number 3150-0043.

Backfit Analysis

This final rule pertains solely to minor administrative procedures of the NRC; therefore, no backfit analysis has been prepared.

List of Subjects in 10 CFR Part 9

Freedom of information, Penalty, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR part 9.

PART 9—PUBLIC RECORDS

1. The authority citation for part 9 continues to read in part as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); Sec. 201, 68 Stat. 1242, as amended (42 U.S.C. 5841).

2. In § 9.35, paragraph (a)(1) is revised to read as follows:

§ 9.35 Duplication fees.

(a)(1) Charges for the duplication of records made available under § 9.21 at the NRC Public Document Room (PDR), 2120 L Street, Lower Level, NW., Washington, DC by the duplicating service contractor are as follows:

(i) 5.8 cents per page for paper copy to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charges vary as follows depending on the reproduction process that is used:

(A) Xerographic process—\$1.50 per square foot for large documents or engineering drawings (random size up to 24 inches in width and with variable length) reduced or full size;

(B) Photographic process—\$6.75 per square foot for large documents or engineering drawings (random size exceeding 24 inches in width up to a maximum size of 42 inches in length) full size only.

(ii) 5.8 cents per page for microform to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charge is \$1.35 per square foot or \$2.95 for a reduced size print which the charge is \$1.35 per square foot or \$2.95 for a reduced size print (18 x 24 inches).

(iii) 85 cents per microfiche to microfiche.

(iv) 85 cents per aperture card to aperture card.

Dated at Rockville, Maryland, this 29th day of August 1989.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 89-20792 Filed 9-1-89; 8:45 am]

BILLING CODE 7590-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 9

RIN 3150-AD29

Duplication Fees

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations by revising the charges for copying records publicly available at the NRC Public Document Room in Washington, DC. The amendment is necessary in order to reflect the change in copying charges resulting from the Commission's award of a new contract for the copying of records.

EFFECTIVE DATE: September 5, 1989.

FOR FURTHER INFORMATION CONTACT: Kathleen E. Ruhlman, Public Document Room Branch, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 202-634-3366.

SUPPLEMENTARY INFORMATION: The NRC maintains a Public Document Room (PDR) at its headquarters at 2120 L Street NW., Lower Level, Washington, DC. The PDR contains an extensive collection of publicly available technical and administrative records that the NRC receives or generates. Requests by the public for the duplication of records at the PDR have traditionally been accommodated by a duplicating service contractor selected by the NRC. The schedule of duplication charges to the public established in the duplicating service contract is set forth in 10 CFR 9.35 of the Commission's regulations. The NRC has recently awarded a new duplicating service contract. The revised

FEDERAL HOUSING FINANCE BOARD

12 CFR Chapters V and IX

[No. FHFB 89-1]

Establishment of Chapter IX and Redesignation of Regulations From Chapter V

Dated: August 28, 1989.

AGENCY: Federal Housing Finance Board.

ACTION: Final rule.

SUMMARY: By this document the Federal Housing Finance Board ("FHFB" or "Board") establishes chapter IX in title 12 of the Code of Federal Regulations for publication of its rules, regulations, and policy statements. The Board is an independent agency in the Executive

Branch of the Government, established by the Federal Home Loan Bank Act, as amended by Public Law 101-73. The Board is also redesignating certain regulations concerning the Federal Home Loan Bank System and the Financing Corporation which formerly appeared at chapter V of title 12, Code of Federal Regulations.

EFFECTIVE DATE: September 5, 1989.

FOR FURTHER INFORMATION CONTACT:

James H. Gray, Jr., Attorney, (202) 906-6161; or Charles J. Szlenker, Attorney, (202) 906-8664, Federal Housing Finance Board Task Force.

SUPPLEMENTARY INFORMATION:

A. General

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Public Law No. 101-73, abolished the Federal Home Loan Bank Board and established the FHFB as an independent agency in the executive branch of the Government responsible for overseeing the Federal home loan banks.

Regulations concerning the Federal Home Loan Bank System were contained in title 12 CFR parts 521-35, while regulations concerning the Financing Corporation were contained in part 592 of title 12. These regulations were issued under the authority of the former Federal Home Loan Bank Board. Section 402(h) of Public Law No. 101-73 preserves the authority of Federal Home Loan Bank Board regulations unless terminated or superseded by the appropriate successor agency.

This document establishes the FHFB regulations in title 12, chapter IX of the Code of Federal Regulations. The table of contents for chapter IX set forth below includes regulations which are issued in this final rule, as well as the part titles of other materials which the FHFB intends to issue in the near future and reserved part titles. The regulations are being transferred from parts 521-35 and 592 without any change in substantive or technical matters or nomenclature in order to accomplish an expedient transfer of authority from the defunct Federal Home Loan Bank Board to the FHFB. Where the transferred regulations refer to the "Board" (defined in the regulations being transferred as the Federal Home Loan Bank Board (12 CFR 521.3)) it is intended that this term "Board" apply to the FHFB, until the definition is corrected in a later technical amendment.

B. Directors

Section 707 of Public Law No. 101-73 amends the Federal Home Loan Bank Act provisions concerning the election or appointment of Federal home loan

bank directors. Sections 522.20-522.27 of the transferred regulations deal with the election and appointment of Federal home loan bank directors under provisions of the Federal Home Loan Bank Act prior to its amendment by Public Law 101-73. Where these transferred sections have been superseded by the Federal Home Loan Bank Act amendments, they are inoperative and will be amended as soon as practical.

C. Indemnification

Section 707(k) of Public Law No. 101-73 provides that the directors of a Federal home loan bank will determine the conditions under which a director or officer of the Federal home loan bank will be indemnified. Until such time as this provision is implemented by the Federal home loan banks under the oversight of the FHFB, § 522.72 of the transferred regulations continues to be in force.

D. Miscellaneous

Public Law No. 101-73 amends Federal Home Loan Bank Act section 2b(b)(2) and abolishes all joint offices of the Federal home loan banks except the Office of Finance. Sections 522.80 through 522.90 are transferred in their entirety until the FHFB can implement section 2b, as amended, and repeal these sections as appropriate.

In general, the transferred regulations include provisions addressing liquidity requirements for savings associations which are members of a Federal Home Loan Bank System as well as collateral required of a member institution receiving an advance from a Federal home loan bank. Some of the transferred provisions have been superseded by changes to the Federal Home Loan Bank Act. The regulations are being transferred in their entirety and the FHFB will promulgate appropriate amendments as soon as practical.

Sections 506.1 through 506.6 and §§ 506a.1 through 506a.8 of title 12, Code of Federal Regulations, dealing with issuance of Federal home loan bank consolidated bonds or debenture and book entry issuance of consolidated bonds, respectively, are being transferred to chapter IX of title 12.

The FHFB is transferring these regulations, even where the provisions have been superseded by statute, to effect an efficient and convenient transfer of authority from the defunct Federal Home Loan Bank Board to the FHFB. Where appropriate or required, the FHFB will amend the transferred regulations or promulgate new regulations in order to comply with the sweeping changes to the Federal Home

Loan Bank System mandated by Public Law No. 101-73.

E. Administrative Procedure Act

The transferred regulations were previously promulgated by the former Federal Home Loan Bank Board after notice and an opportunity for public comment where required. Therefore, a notice of proposed rulemaking and a comment period in this case is unnecessary. Moreover, the Board finds that the interest of the public and the Federal Home Loan Bank System are served if these regulations are transferred to the auspices of the Board, as mandated by Public Law No. 101-73, as soon as possible. Consequently these rules will be effective immediately and without prior notice and opportunity for public comment. The FHFB is empowered to take this action pursuant to 12 CFR 508.11 and 508.14 which continue in effect despite the termination of the Federal Home Loan Bank Board, under provision by Public Law 101-73.

F. Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this regulation, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply.

Authority: Secs. 2A, 2B, as added by sec. 702, 103 Stat. 413, 414 (12 U.S.C. 1422a, 1422b).

Accordingly, the Federal Housing Finance Board hereby amends chapter V and establishes a new chapter IX, title 12, Code of Federal Regulations, as set forth below.

1. Title 12 is amended by adding a chapter IX (consisting of subchapters A through D) to read as follows:

CHAPTER IX—FEDERAL HOUSING FINANCE BOARD

SUBCHAPTER A—GENERAL

Part	
900	Organization and channeling of functions [Reserved].
902	Operations [Reserved].
904	Availability and Character of Records [Reserved].
906	Public information regarding meetings of the Board of Directors of the Federal Housing Finance Board [Reserved].
908	Information collection requirements under the Paperwork Reduction Act [Reserved].
910	Consolidated Bonds and debentures.
912	Book-entry procedure for Federal Home Loan Bank Securities.
914	Hearings [Reserved].
916	Promulgation of regulations and amendments [Reserved].
918	Implementation of the Equal Access to Justice Act [Reserved].

- Part
 920 Use of penalty mail in the location and recovery of missing children [Reserved].
 922 Employee Responsibilities and conduct [Reserved].
 924 Practice before the Board of Directors [Reserved].

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

- 931 Definitions.
 932 Organization of the Banks.
 933 Members of the Banks.
 934 Operations of the Banks.
 935 Advances.
 936 Advertising of accounts.
 937 Housing opportunity allowance program.
 938 Nondiscrimination requirements.
 939 Nondiscrimination in federally assisted programs.
 940 Statements of policy.
 941 Rulings of the former Federal Home Loan Bank Board or the Board of Directors, Federal Housing Finance Board.
 942 Electronic fund transfers.
 943 Collection, settlement, and processing of payment instruments.
 944 Prohibited consumer credit practices.

SUBCHAPTER C—FINANCING CORPORATION

- 950 Operations [Reserved].

SUBCHAPTER D—RESOLUTION FUNDING CORPORATION

- 955 Assessment of the Federal home loan banks for the Resolution Funding Corporation [Reserved].

2. Title 12 of the Code of Federal Regulations is amended by redesignating certain regulations from 12 CFR chapter V to 12 CFR chapter IX as set forth in the following redesignation table which shows the relationship of the former CFR part, subpart and section numbers under 12 CFR chapter V and new part, subpart and section numbers in 12 CFR chapter IX:

Redesignation Table

12 CFR ch. V Former Section Numbers	12 CFR ch. IX New Section Numbers
Part 506	Part 910
506.1.....	910.1
506.2.....	910.2
506.3.....	910.3
506.4.....	910.4
506.5.....	910.5
506.6.....	910.6
Part 506a	Part 912
506a.1.....	912.1
506a.2.....	912.2
506a.3.....	912.3
506a.4.....	912.4
506a.5.....	912.5
506a.6.....	912.6
506a.7.....	912.7
506a.8.....	912.8
506a.9.....	912.9

Subchapter B Part 521	Subchapter B Part 931
521.1.....	931.1
521.2.....	931.2
521.3.....	931.3
521.4.....	931.4
521.5.....	931.5
521.6.....	931.6
521.6-1.....	931.7
521.6-2.....	931.8
521.7.....	931.9
521.8.....	931.10
521.9.....	931.11
521.10.....	931.12
521.11.....	931.13
Part 522	Part 932
522.1.....	932.1
522.5.....	932.2
522.6.....	932.3
522.10.....	932.4
522.11.....	932.5
522.12.....	932.6
522.13.....	932.7
522.20.....	932.8
522.21.....	932.9
522.22.....	932.10
522.23.....	932.11
522.24.....	932.12
522.25.....	932.13
522.26.....	932.14
522.27.....	932.15
522.28.....	932.16
522.60.....	932.27
522.61.....	932.28
522.62.....	932.29
522.70.....	932.40
522.71.....	932.41
522.72.....	932.42
522.73.....	932.43
522.75.....	932.50
522.76.....	932.51
522.80.....	932.55
522.81.....	932.56
522.82.....	932.57
522.85.....	932.60
522.86.....	932.61
522.87.....	932.62
522.90.....	932.65
Part 523	Part 933
523.1.....	933.1
523.3.....	933.3
523.3-1.....	933.4
523.3-2.....	933.5
523.3-3.....	933.6
523.4.....	933.7
523.5.....	933.8
523.6.....	933.9
523.7.....	933.10
523.8.....	933.11
523.10.....	933.13
523.11.....	933.14
523.12.....	933.15
523.13.....	933.16
523.14.....	933.17
523.15.....	933.18
523.20.....	933.22
523.25.....	933.27
523.29.....	933.31
523.30.....	933.32
523.31.....	933.33
Part 524	Part 934
524.1.....	934.1
524.2.....	934.2
524.3.....	934.3
524.4.....	934.4
524.5.....	934.5
524.6.....	934.6
524.7.....	934.7
524.8.....	934.8
524.9.....	934.9

524.10.....	934.10
524.11.....	934.11
524.12.....	934.12
524.13.....	934.13
Part 525	Part 935
525.1.....	935.1
525.2.....	935.2
525.3.....	935.3
525.4.....	935.4
525.5.....	935.5
525.6.....	935.6
525.7.....	935.7
525.8.....	935.8
525.9.....	935.9
525.10.....	935.10
525.33.....	935.30
525.34.....	935.31
525.35.....	935.32
525.36.....	935.33
Part 526	Part 936
526.1.....	936.1
526.2.....	936.2
Part 527	Part 937
527.1.....	937.1
527.2.....	937.2
527.3.....	937.3
527.4.....	937.4
527.5.....	937.5
527.6.....	937.6
527.7.....	937.7
527.8.....	937.8
Part 528	Part 938
528.1.....	938.1
528.1a.....	938.2
528.2.....	938.3
528.2a.....	938.4
528.3.....	938.5
528.4.....	938.6
528.5.....	938.7
528.6.....	938.8
528.7.....	938.9
528.8.....	938.10
Part 529	Part 939
529.1.....	939.1
529.2.....	939.2
529.3.....	939.3
529.4.....	939.4
529.5.....	939.5
529.6.....	939.6
529.7.....	939.7
529.8.....	939.8
529.9.....	939.9
529.10.....	939.10
529.11.....	939.11
529.12.....	939.12
Part 531	Part 940
531.1.....	940.1
531.2.....	940.2
531.4.....	940.3
531.8.....	940.4
531.9.....	940.5
531.10.....	940.6
Part 532	Part 941
532.1.....	941.1
Part 533	Part 942
533.1.....	942.1
Part 534	Part 943
534.1.....	943.1
534.2.....	943.2
534.3.....	943.3
534.4.....	943.4
534.5.....	943.5
534.6.....	943.6
534.7.....	943.7
Part 535	Part 944
535.1.....	944.1
535.2.....	944.2
535.3.....	944.3

535.4 944.4
535.5 944.5

By the Federal Housing Finance Board.
Jack Kemp,
Acting Chairperson.

[FR Doc. 89-20791 Filed 9-1-89; 8:45 am]
BILLING CODE 6720-01-M

12 CFR Part 934

[No. FHFB 89-2]

Office of Thrift Supervision Assessments

Dated: August 28, 1989.
AGENCY: Federal Housing Finance Board.
ACTION: Final rule.

SUMMARY: To assist the Office of Thrift Supervision ("OTS") with its need to fund the costs of examining institutions under its jurisdiction, the Federal Housing Finance Board ("FHFB") hereby adopts a regulation pursuant to the Home Owners' Loan Act of 1933 ("HOLA"), as amended, requiring the Federal home loan banks to participate in OTS' payment mechanism. Because of the exigent circumstances of OTS being newly created and requiring funds to operate, the regulation is adopted effective September 5, 1989.

EFFECTIVE DATE: September 5, 1989.

FOR FURTHER INFORMATION CONTACT: Amy Maxwell, (202) 906-7865; James H. Gray, Attorney, (202) 906-6161, Federal Housing Finance Board Task Force.

SUPPLEMENTARY INFORMATION:

A. General

Section 9 of the HOLA as added by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ("FIRREA"), Public Law No. 101-73, section 301(9)(f), requires the Federal home loan banks ("banks") to collect fees and assessments from bank members regulated by OTS, by agreement and upon the request of the Director of OTS. 12 CFR 502, recently promulgated by OTS, requires all OTS regulated savings associations to establish demand deposit accounts at the bank in their district.

Pursuant to section 11(e)(1) of the Federal Home Loan Bank Act (12 U.S.C. 1431(e)(1)) the banks are authorized to take in deposits of instrumentalities of the United States: a term which encompasses the OTS. Moreover, 12 U.S.C. 1701c(c)(1), as amended by section 306(b) of Pub. L. 101-73, authorizes the Director of OTS to utilize

the services of any Federal instrumentality (which term includes the banks) with the consent of the instrumentality. By the promulgation of this regulation, the FHFB requires that the banks perform this service on behalf of OTS and accept the deposits of OTS funds for the purposes described in this regulation.

The banks may choose to require their affected members to enter agreements with the bank to clarify the charge and the ministerial nature of the bank's role in this agreement process. FHFB assumes that determination of the proper dates and amounts of the assessments are to be agreed upon by OTS and the savings associations. The bank's sole responsibility will be a ministerial one of acting as collecting agent. As specifically provided in the HOLA, the banks will expect to the reimbursed for the actual cost of collection. Those bank members who are not regulated by the OTS are not affected by this regulation.

B. Administrative Procedure Act

The FHFB is adopting this regulation as a final rule effective immediately, without the usual notice and comment period or delayed effective date provided for in the Administrative Procedure Act, 5 U.S.C. 553. Those requirements may be waived for "good cause." 5 U.S.C. 553(b)(3)(B), 553(d)(3). The FHFB finds that good cause exists because of the urgent necessity of establishing a mechanism to meet the OTS' immediate funding needs following its establishment by enactment of the FIRREA. Similarly, providing notice and comment procedures and a delayed effective date would be contrary to the public interest because OTS could not immediately discharge its statutory responsibilities.

C. Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this regulation, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

List of Subjects in 12 CFR Part 934

Assessments, Federal home loan banks, Examinations, Securities, Surety bonds.

Accordingly, the Federal Housing Finance Board hereby amends part 934 of subchapter B, chapter IX, title 12, Code of Federal Regulations, as set forth below.

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

PART 934—OPERATIONS OF THE BANKS

1. The authority citation for part 934 is revised to read as follows:

Authority: Sec. 9, as added by sec. 301, 103 Stat. 316 (12 U.S.C. 1467); sec. 10, as added by sec. 301, 103 Stat. 318 (12 U.S.C. 1467a); sec. 12, as added by sec. 310, 103 Stat. 343 (12 U.S.C. 1468a).

2. Section 934.14 is added to read as follows:

§ 934.14 Office of Thrift Supervision assessments.

At the request of, and in accordance with the instructions of, the Director of the Office of Thrift Supervision, the Federal home loan banks shall remit funds made available by their members to satisfy Office of Thrift Supervision assessments.

By the Federal Housing Finance Board.
Jack Kemp,
Acting Chairperson.

[FR Doc. 89-20790 Filed 9-1-89; 8:45 am]
BILLING CODE 6720-01-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 122

RIN 3245-AB98

Business Loans for 8(a) Program Participants

AGENCY: Small Business Administration.
ACTION: Final rule.

SUMMARY: Section 302 of the "Business Opportunity Development Reform Act of 1988," Public Law 100-656 (102 Stat. 3853), enacted November 15, 1988 (1988 legislation), provides a statutory basis for a program of direct, guaranteed and immediate participation financial assistance for small businesses which are participants in the Small Business Administration's (SBA) section 8(a) program and which are presently eligible to receive contracts under that program. This final rule implements the 1988 legislation.

EFFECTIVE DATE: June 1, 1989.

FOR FURTHER INFORMATION CONTACT: Charles R. Hertzberg, Deputy Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416, telephone (202) 653-6574.

SUPPLEMENTARY INFORMATION: On June 13, 1989, SBA published proposed regulations in the Federal Register (54