as of the effective date (current possessors) will be afforded additional time to reach full compliance with this part. Any provision not specifically cited in paragraphs (a)(1) through (a)(6) of this section will be applicable as of February 11, 2003. In addition, any person who does not possess listed agents or toxins by the effective date of this part, but who wishes to initiate a research or educational project prior to November 12, 2003, must be in compliance with the provisions of this part that are applicable for current possessors at the time of application, as provided in paragraphs (a)(1) through (a)(5) of this section.

(1) During the period from February 11, 2003, to November 12, 2003, biological agents or toxins listed in § 121.3 may only be transferred to an individual or entity that is not registered under this part if:

(i) The individual or entity is registered by CDC for that specific overlap agent or toxin in accordance with 42 CFR part 72; or

(ii) The individual or entity has been issued a permit by the Administrator under part 122 of this subchapter to import or move interstate that specific agent or toxin. If an individual or entity has not been issued a permit under part 122 of this subchapter, the individual or entity may apply for a permit. To receive an agent or toxin, an individual or entity will also be required to submit APHIS Form 2041, in accordance with § 121.14(c). Because USDA permits do not cover intrastate movement, unless registered by CDC under 42 CFR part 72, an individual or entity may not receive a listed agent or toxin that is being moved intrastate until that individual or entity is registered in accordance with this part.

(2) By March 12, 2003, the responsible official must submit the registration application package as required in § 121.9. In addition, the responsible official must submit to the Attorney General the names and identifying information for the responsible official; alternate responsible official, where applicable; entity; and, where applicable, the individual who owns or controls the entity.

(3) By April 11, 2003, the responsible official must submit to the Attorney General the names and identifying information for all individuals whom the responsible official has identified as having a legitimate need to handle or use listed agents or toxins, and who have the appropriate training and skills to handle such agents or toxins, as required in § 121.11.

(4) By June 12, 2003, the responsible official must submit the security section of the Biosafety and Security Plan required in § 121.12 to APHIS or, for overlap agents or toxins, to APHIS or CDC.

(5) By September 12, 2003, the responsible official must implement the security section of the Biosafety and Security Plan, as required in § 121.12, and provide security training in accordance with 9 CFR 121.13.

(6) By November 12, 2003, the registration application process must be complete and the entity in full compliance with the regulations in this part, except as otherwise provided in paragraphs (b) and (c) of this section.

(b) *Provisional registration.* (1) Notwithstanding the provisions in paragraph (a) of this section, APHIS may issue a provisional registration certificate to current possessors if, as of November 12, 2003:

(i) The Attorney General has received all of the information, including fingerprint cards, required by the Attorney General to conduct a security risk assessment of the entity, including any individual who owns or controls the entity; and

(ii) The entity otherwise meets all of the requirements of this part.

(2) Notwithstanding the provisions in paragraph (a) of this section, APHIS may issue a provisional registration certificate to individuals and entities that did not possess listed biological agents or toxins as of February 11, 2003, if, as of November 12, 2003:

(i) The Attorney General has received all of the information, including fingerprint cards, required by the Attorney General to conduct a security risk assessment of the entity, including any individual who owns or controls the entity;

(ii) The entity otherwise meets all of the requirements of this part; and

(iii) The Administrator finds that circumstances warrant such action in the interest of the health of plants or plant products or national security.

(3) A provisional registration certificate will be effective until APHIS either issues a certificate of registration or suspends or revokes the provisional registration.

(c) Notwithstanding the provisions in paragraph (a) of this section, APHIS may issue a provisional grant of access for individuals identified by an entity as having a legitimate need to handle or use agents or toxins listed in § 121.3 if, as of November 12, 2003, the Attorney General has received all of the information, including fingerprint cards, required by the Attorney General to conduct a security risk assessment of that individual. A provisional grant of access will be effective until APHIS grants or denies access to biological agents or toxins listed in § 121.3.

Done in Washington, DC, this 29th day of October, 2003.

Bobby R. Acord,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 03–27640 Filed 10–31–03; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Parts 762 and 764

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

7 CFR Parts 1910, 1924, 1941, 1943 and 1955

RIN 0560–AG99

Technical Changes to Citizenship Requirements and Loan Eligibility Regulations

AGENCIES: Farm Service Agency, Rural Housing Service, Rural Business-Cooperative Service, and Rural Utilities Service, USDA.

ACTION: Final rule.

SUMMARY: This rule amends the Farm Service Agency's (FSA) regulations for direct and guaranteed loan making requirements by revising loan eligibility requirements to conform with provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). In addition, it amends the direct and guaranteed loan program regulations to implement statutory provisions of the Consolidated Farm and Rural Development Act (CONACT).

DATES: This rule is effective November 3, 2003.

FOR FURTHER INFORMATION CONTACT: Janet Downs, Senior Loan Officer, USDA, FSA, Farm Loan Programs, Loan Making Division, STOP 0522, 1400 Independence Avenue, SW., Washington, DC 20250–0522; Telephone: (202) 720–0599, e-mail: *Janet_Downs@wdc.usda.gov.* Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720–2600 (voice and TDD).

SUPPLEMENTARY INFORMATION:

Notice and Comment

This rule is not being published for public notice or to solicit comment from interested parties as a proposed rule. It implements precise statutory requirements of both the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (8 U.S.C. 1611, 1641) and the Consolidated Farm and Rural Development Act (CONACT) (7 U.S.C. 1921 *et.seq.*), where the Agency has little or no leeway in terms of policy interpretation. Thus, the Agency is not required by 5 U.S.C. 553 to publish a notice of proposed rulemaking for its interpretive policy. This rule is published as final and is effective immediately.

Executive Order 12866

This final rule has been determined to be not significant under Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act, Public Law 96–534, (5 U.S.C. 601), FSA has determined that this rule will not have a significant economic impact on a substantial number of small entities. FLP applicants and borrowers are predominantly family-size farmers and ranchers and, as defined by the U.S. Small Business Administration, approximately 98 percent of all farmers are classified as small businesses. The provisions in this rule will not impact a substantial number of small entities to a greater extent than large entities. The intent of this rule is to implement legislation and makes non-substantive updates. Large entities are subject to these rules to the same extent as small entities. Therefore, a regulatory flexibility analysis was not performed.

Environmental Evaluation

The environmental impacts of this final rule have been considered in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.*, the regulations of the Council on Environmental Quality (40 CFR parts 1500–1508), and the FSA regulations for compliance with NEPA, 7 CFR parts 799, and 1940, subpart G. FSA completed an environmental evaluation and concluded that the rule requires no further environmental review. No extraordinary circumstances or other unforeseeable factors exist which would require preparation of an environmental assessment or environmental impact statement. A copy of the environmental evaluation is available for inspection and review upon request.

Executive Order 12988

This final rule has been reviewed in accordance with Executive Order 12988. This rule preempts State laws to the extent any laws are inconsistent with it, and its provisions are not retroactive. Before legal action may be brought concerning this rule, administrative remedies under 7 CFR part 11 must be exhausted.

Executive Order 13132

The policies contained in this rule do not have any substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Nor does this rule impose substantial direct compliance costs on State and local governments. Therefore, consultation with the States is not required.

Unfunded Mandates

The rule contains no Federal mandates, as defined by title II of the UMRA. Thus, this rule is not subject to the requirements of sections 202 and 205 of UMRA.

Paperwork Reduction Act

The Agency's information collection requirements, currently approved under OMB control numbers 0560–0154, 0560–0155, 0560–0157, 0560–0159, 0560–0162, 0560–0167, and 0560–0178, are not affected by this final rule.

Federal Assistance Programs

The titles and numbers of the Federal assistance programs, as found in the Catalog of Federal Domestic Assistance, to which this final rule applies are:

10.404—Emergency Loans
10.406—Farm Operating Loans
10.407—Farm Ownership Loans

Discussion of the Final Rule

Individual Citizenship Requirements

To be eligible for FSA Farm Loan Programs (FLP) loans, FSA regulations provide that an applicant must be a citizen of the United States or an alien lawfully admitted to the United States for permanent residence under the Immigration and Nationality Act; indefinite parolees are not eligible for loans. This rule changes FLP direct and guaranteed loan eligibility provisions to require an applicant be a United States citizen, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. This revision is necessary to reflect changes made by section 401 of the PRWORA (8 U.S.C. 1611) prohibiting aliens who are not qualified aliens from receiving Federal public benefits such as Federal loans.

Entity Citizenship Requirements

PRWORA requirements similarly are adopted for entity citizenship requirements for direct and guaranteed FLP loans. These regulations are amended to consistently require the majority interest of the entity to be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws. These changes implement CONACT program requirements that for an entity applicant to be eligible for a farm programs loan, individuals holding a majority interest of such entity must be citizens of the United States. See 7 U.S.C. 1922, 1941, and 1961.

In addition, FSA regulations require that aliens must provide the appropriate forms from the Bureau of Citizenship and Immigration Services of the Department of Homeland Security (BCIS) to document their permanent residency. This rule updates these provisions to require that United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status, as required by the BCIS. This revision further implements section 401 of the PRWORA.

Prohibition to Finance Non-Farm Enterprises

This rule amends FSA regulations to clarify that direct farm operating and farm ownership loan funds cannot be used to finance non-farm enterprises. This rule adds limitations in 7 CFR 1941.17 and 1943.17 and removes 7 CFR 1941.23(b)(3) accordingly.

Clarify Definition of Socially Disadvantaged

Section 355 of the CONACT defines a ''socially disadvantaged group'' as a ''group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities.'' This rule amends FSA regulations 7 CFR 1943.4 and 1955.103 to clarify that the term ''socially disadvantaged applicant'' refers to an applicant who is a member of a socially disadvantaged group.

Borrower Eligibility

Section 373(b) of the CONACT, in part, allows FSA to make annual operating loans to borrowers who have had debt forgiveness and who are

current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title 11 of the United States Code. Section 373(a) also prohibits direct operating loans to any borrower who is delinquent on any loan made or guaranteed under the CONACT. This prohibition partially overlaps with the Debt Collection Improvement Act (DCIA) provision, 31 U.S.C. 3720B, making persons owing a delinquent non-tax debt to the Federal Government ineligible for Federal financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee. The DCIA provision is implemented by regulations at 31 CFR part 285. This rule amends FSA farm operating loan eligibility regulation, 7 CFR 1941.12, to reflect these statutory requirements. Reference to annual production loans to delinquent borrowers in 7 CFR 1941.33 also is removed for consistency.

Miscellaneous

This rule amends an incorrect reference in FSA regulation, 7 CFR 1941.18, to allow equal, unequal, or balloon installment schedules on loans made for other than annual operating purposes. This rule also removes from 7 CFR part 1924, subpart B, the definition of ''Financially viable operation'', as it is unnecessary. References to required borrower training for guaranteed loan borrowers are also removed as section 805 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Pub. L. 105–277, October 21, 1998) removed the borrower training requirement for guaranteed farm loans. This rule removes references to an obsolete form (FmHA 440–35) from 7 CFR part 1943, subpart A. This rule corrects a duplicate reference to § 1910.4(i) by revising the second (i) reference to read (j).

List of Subjects

7 CFR Part 762

Agriculture, Loan programs—agriculture.

7 CFR Part 764

Agriculture, Disaster assistance, Loan programs—agriculture.

7 CFR Part 1910

Agriculture, Loan programs—agriculture.

7 CFR Part 1924

Agriculture, Loan programs—agriculture.

7 CFR Part 1941

Crops, Livestock, Loan programs—agriculture, Rural areas, Youth.

7 CFR Part 1943

Crops, Loan programs—agriculture, Recreation, Water resources.

7 CFR Part 1955

Agriculture, Loan programs—agriculture, Property management, Government property.

Accordingly, 7 CFR Chapters VII and XVIII are amended as follows:

PART 762—GUARANTEED FARM LOANS

■ 1. The authority citation for part 762 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

■ 2. Revise § 762.120(d) to read as follows:

§ 762.120 Loan applicant eligibility.

* * * * *

(d) *Citizenship.* (1) The applicant must be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. For an entity applicant, the majority interest of the entity must be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws.

(2) United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

PART 764—EMERGENCY FARM LOANS

■ 3. The authority citation for part 764 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

■ 4. Revise § 764.4(a)(2) to read as follows:

§ 764.4 Eligibility requirements.

(a) * * *

(2) *Citizenship.* (i) The applicant must be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. For an entity applicant, the majority interest of the entity must be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws.

(ii) United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

PART 1910—GENERAL

■ 5. The authority citation for part 1910 continues to read as follows:

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

Subpart A—Receiving and Processing Applications

§ 1910.4 [Amended]

■ 6. Amend § 1910.4 by redesignating the second paragraph (i) as paragraph (j).

PART 1924—CONSTRUCTION AND REPAIR

■ 7. The authority citation for part 1924 continues to read as follows:

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

Subpart B—Management Advice to Individual Borrowers and Applicants

§ 1924.54 [Amended]

■ 8. In § 1924.54 remove the definition of ''Financially viable operation''.

■ 9. In § 1924.74 revise the second sentence of paragraph (a)(2) to read as follows:

§ 1924.74 Borrower training program.

(a) * * *

(2) * * * Unless waived, this training requirement will be an eligibility requirement for all Agency direct loans. * * *

* * * * *

PART 1941—OPERATING LOANS

■ 10. The authority citation for part 1941 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

Subpart A—Operating Loan Policies, Procedures, and Authorizations

■ 11. Revise paragraphs (a)(1), (b)(5)(i), the last sentence of paragraphs (a)(8) and (b)(11), and the first sentence of paragraphs (a)(9) and (b)(12) of § 1941.12, to read as follows:

§ 1941.12 Eligibility requirements.

(a) * * *

(1) Be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable

Federal immigration laws. United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

(8) * * * However, an applicant who received a write-down under section 353 of the CONACT, or who is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title 11 of the United States Code, may receive direct and guaranteed OL loans to pay annual farm and ranch operating expenses, including family subsistence, if the applicant meets all other eligibility requirements.

(9) Not be delinquent on any non-tax Federal debt or FSA guaranteed debt.

* * *

* * * * *

(b) * * *

(5) * * *

(i) The majority interest of the entity must be held by members who are citizens of the United States, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws. United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

(11) * * * However, an applicant who received a write down under section 353 of the CONACT, or who is current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title 11 of the United States Code, may receive direct and guaranteed OL loans to pay annual farm and ranch operating expenses, including family subsistence, if the applicant meets all other eligibility requirements.

(12) Not be delinquent on any non-tax Federal debt or FSA guaranteed debt.

* * *

* * * * *

■ 12. Amend § 1941.17 by adding paragraph (e) to read as follows:

§ 1941.17 Loan limitations.

* * * * *

(e) If the purpose of the loan is to finance a nonfarm enterprise.

* * * * *

§ 1941.18 [Amended]

■ 13. Amend the first sentence of § 1941.18(b)(4) by changing the reference to paragraph ''(b)(2)'' to read paragraph ''(b)(3)''.

§ 1941.23 [Amended]

■ 14. Amend § 1941.23 by removing paragraph (b)(3) and redesignating paragraph (b)(4) as (b)(3).

■ 15. Amend § 1941.33 by removing the second sentence of paragraph (c)(2) and by revising paragraph (b)(1)(iii) to read as follows:

§ 1941.33 Loan approval or disapproval.

* * * * *

(b) * * *

(1) * * *

(iii) The proposed loan is based on a feasible farm operating plan.

* * * * *

PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION LOANS

■ 16. The authority citation for part 1943 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

Subpart A—Direct Farm Ownership Loan Policies, Procedures, and Authorizations

■ 17. Amend paragraph § 1943.4 by revising the definition of ''Socially disadvantaged applicant'' to read as follows:

§ 1943.4 Definitions.

* * * * *

Socially disadvantaged applicant (SDA). An applicant who is a member of a socially disadvantaged group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as a member of a group, without regard to their individual qualities. For entity SDA applicants, the majority interest in the entity must be held by socially disadvantaged individuals. The Agency has identified socially disadvantaged groups as Women, Blacks, American Indians, Alaskan Natives, Hispanics, Asians, and Pacific Islanders.

* * * * *

■ 18. Amend § 1943.12 by revising paragraphs (a)(1), (b)(4)(i), and the first sentence of paragraphs (a)(9) and (b)(11) to read as follows:

§ 1943.12 Farm ownership loan eligibility requirements.

* * * * *

(a) * * *

(1) Be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

(9) Not be delinquent on any non-tax Federal debt or FSA guaranteed debt.* * *

(b) * * *

(4) * * *

(i) For an entity applicant, the majority interest of the entity must be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws. United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their permanent immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

* * * * *

(11) Not be delinquent on any non-tax Federal debt or FSA guaranteed debt.* * *

* * * * *

■ 19. Amend § 1943.17 paragraph (a)(2) by removing the words ''and nonfarm enterprise'' and by adding paragraph (c) to read as follows:

§ 1943.17 Loan limitations.

* * * * *

(c) The purpose of the loan is to finance a nonfarm enterprise.

■ 20. Amend § 1943.34 by revising the section title, removing paragraph (c), and revising paragraphs (a) and (b) to read as follows:

§ 1943.34 Requesting title service.

(a) Title clearance will be obtained as provided in subpart B of part 1927 of this chapter, when required by the Agency.

(b) When the loan is approved, the applicant will arrange with the seller to take possession of the land that is being acquired.

PART 1955—PROPERTY MANAGEMENT

■ 21. The authority citation for part 1955 continues to read as follows:

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

Subpart C—Disposal of Inventory Property

■ 22. Amend § 1955.103 by revising the definition of ''Socially disadvantaged applicant'' to read as follows:

§ 1955.103 Definitions.

* * * * *

Socially disadvantaged applicant (SDA). An applicant who is a member of a socially disadvantaged group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as a member of a group, without regard to their individual qualities. For entity SDA applicants, the majority interest in the entity must be held by socially disadvantaged individuals. The Agency has identified socially disadvantaged groups as Women, Blacks, American Indians, Alaskan Natives, Hispanics, Asians, and Pacific Islanders.

* * * * *

Dated: October 27, 2003.

J.B. Penn,

Under Secretary for Farm and Foreign Agricultural Services.

Dated: October 28, 2003.

Thomas C. Dorr,

Under Secretary for Rural Development.

[FR Doc. 03–27589 Filed 10–31–03; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 71

[Docket No. 02–069–2]

Interstate Movement of Swine Within a Production System; Inspection of Swine

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations pertaining to the interstate movement of swine by limiting the requirement for mandatory veterinary inspections, at intervals of 30 days or less, to swine that are or will be in the process of moving interstate within a swine production system and to the premises on which such swine are housed. With this change, swine that have arrived at a finishing house or other final destination within a single swine production system will no longer be required to undergo veterinary inspections at intervals of 30 days or less. In order to ensure that finishing house animals will still undergo regular health monitoring, swine that have completed their interstate movement within the swine production system, as well as the premises on which they are housed, will have to be inspected in accordance with State regulations. This rule reduces the frequency of veterinary inspections for swine that have completed their interstate movement within a single swine production system without diminishing the effectiveness of our swine-disease monitoring and surveillance activities.

EFFECTIVE DATE: November 3, 2003.

FOR FURTHER INFORMATION CONTACT: Dr. Adam Grow, Senior Staff Veterinarian, National Center for Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737–1231; (301) 734–7708.

SUPPLEMENTARY INFORMATION:

Background

The regulations in subchapter C of chapter I, title 9, Code of Federal Regulations, govern the interstate movement of animals and animal products to prevent the dissemination of livestock and poultry diseases in the United States. Part 71 of subchapter C (referred to below as the regulations) includes, among other things, requirements for the identification and inspection of swine being moved interstate.

On May 23, 2003, we published in the **Federal Register** (68 FR 28167–28168, Docket No. 02–069–1) a proposal to amend the regulations to allow for greater flexibility in health inspections of swine that have completed their movement within a swine production system. Specifically, we proposed to amend our definition of *swine production health plan* in § 71.1 by limiting the requirement for mandatory veterinary inspections, at intervals of 30 days or less, to swine that are or will be in the process of moving interstate within a swine production system and to the premises on which such swine are housed. Under our proposed rule, the swine production health plan would have to provide for health monitoring, including inspection by the swine production system accredited veterinarian(s), of all swine within the system. The required frequency of inspections would vary according to the nature of the premises and the swine that populate them. Inspections of premises that contain swine that are or will be in the process of moving interstate within the swine production system and of all swine on those premises would still have to be conducted by the accredited veterinarian(s) at intervals of no greater than 30 days. Inspections of premises containing only swine that have completed their interstate movement within a single swine production system and of all swine on those premises would have to be conducted in accordance with State regulations.

The proposed rule was intended to allow for greater flexibility in health monitoring within a swine production system without diminishing the effectiveness of our swine-disease monitoring and surveillance activities.

We solicited comments concerning our proposal for 60 days ending July 22, 2003. We received three comments by that date. They were from a veterinary association and pork producers' associations. All three commenters favored the proposed rule.

Therefore, for the reasons given in the proposed rule, we are adopting the proposed rule as a final rule, without change.

Miscellaneous

While we are adopting the proposed rule as a final rule without change, we are making three minor editorial changes to the regulations in part 71 in this final rule. First, in § 71.3(c), we are correcting an outdated reference to certain provisions of the tuberculosis regulations in part 77. Those provisions had been contained in § 77.5, but in a final rule published in the **Federal Register** on October 23, 2000 (65 FR 63502–63533, Docket No. 99–038–5), were moved to § 77.17. The reference in § 71.3(c) to those provisions should have been updated at that time, but was not; we are correcting that oversight in this final rule. The other two changes we are making simply correct the numbering of footnotes found in §§ 71.18 and 71.20.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**.

This rule limits the requirement for mandatory veterinary inspections, at intervals of 30 days or less, to swine that are or will be in the process of moving interstate within a swine production system and to the premises on which such swine are housed. By reducing the frequency of required veterinary inspections for swine that have completed their interstate movement within a single swine production system, this final rule eases the burden on swine producers, particularly those involved in the operation of swine finishing houses or other final receiving destinations in swine production systems. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be made effective upon publication in the **Federal Register**.