

§ 1530.110 Records, certification, and documentation.

(a) A licensee shall establish a documentation agreement with the Licensing Authority before submitting for credit against a license. The licensee shall propose to the Licensing Authority a list of documents to substantiate entries, transfers, exports, or use as appropriate. The Licensing Authority shall consider the licensee's proposal to assure that it provides that a program transaction is fully substantiated, and shall then respond in writing to the licensee in a timely fashion outlining any deficiencies. Once agreed, the licensee shall submit a notarized letter specifying the documents to be maintained on file and certifying that the charges and credits made pursuant to § 1530.106 will be kept on file, identifiable by a unique number, and available for inspection pursuant to § 1530.110.

(b) For all transactions, the documentation shall:

- (1) Substantiate the information required in § 1530.109 (c), and the completion of the reported transaction;
- (2) Establish the buyer and seller specifications for a transaction;
- (3) Include all U.S. Customs forms submitted in the entry or export process;
- (4) Provide the correct telephone numbers and addresses of any agents, consignees, foreign purchasers, and non-vessel operating common carriers used in completing the transaction;
- (5) Indicate the port of entry or export for the program transaction;
- (6) Provide the percentage of sugar in a sugar containing product or certain polyhydric alcohols; and
- (7) Provide the name of export carrier, vessel name, and container number.

(c) The licensee shall maintain the documentation established in the documentation agreement for 5 years from the date of such program transaction.

(d) Upon request, the licensee shall make the records, outlined by the documentation agreement and identified (associated) by the unique number assigned by the licensee to the program transaction as reported to the Licensing Authority for posting against a license balance, available for inspection and copying by the Licensing Authority, the Compliance Review Staff of the Foreign Agricultural Service, and/or the Office of the Inspector General, USDA, the U.S. Department of Justice, or any U.S. Government regulatory or investigative office.

§ 1530.111 Enforcement and penalties.

(a) The Licensing Authority may revoke credits granted on a license if the

credits granted do not meet the requirements set forth in the regulations of this part, or if the licensee does not voluntarily charge back credits erroneously claimed in accordance with these regulations. The Licensing Authority may also recommend revocation of a license, if the licensee has been in violation of § 1530.109 (c) of this part.

(b) The Administrator of the Foreign Agricultural Service, USDA, may suspend or revoke a license upon recommendation of the Licensing Authority. Suspension of a license will be governed by 7 CFR part 3017, subpart D and debarment will be governed by 7 CFR part 3017, subpart C.

§ 1530.112 Administrative appeals.

(a) The licensee may appeal the Licensing Authority's determination by filing a written notice of appeal, signed by the licensee or the licensee's agent, with the Director, Import Policies and Programs Division, Foreign Agricultural Service (Director), or his or her designee. The decision on such an appeal shall be made by the Director, and will be governed by § 3017.515 of this title. The appeal must be filed not later than 30 days after the date of the Licensing Authority's determination, and shall contain the licensee's written argument.

(b) The licensee may request an informal hearing. The Director shall arrange a place and time for the hearing, except that it shall be held within 30 days of the filing date of the notice of appeal if the licensee so requests.

(c) The licensee may be represented by counsel, and shall have full opportunity to present any relevant evidence, documentary or testimonial. The Director may permit other individuals to present evidence at the hearing and the licensee shall have an opportunity to question those witnesses.

(d) The licensee may request a verbatim transcript of the hearing, and shall be responsible for arranging for a professional reporter and shall pay all attendant expenses.

(e) The Director shall make the determination on appeal, and may affirm, reverse, modify or remand the Licensing Authority's determination. The Director shall notify the licensee in writing of the determination on appeal and of the basis thereof. The determination on appeal exhausts the licensee's administrative remedies.

§ 1530.113 Waivers.

Upon written application of the licensee or at the discretion of the Licensing Authority, and for good cause, the Licensing Authority may extend the

period for transfer, export, or production, and/or may temporarily increase a maximum license limit, may extend the period for submitting regularly scheduled reports, or may temporarily waive or modify any other requirement imposed by this part if the Licensing Authority determines that such a waiver will not undermine the purpose of the relevant program or adversely affect domestic sugar policy objectives. The Licensing Authority may specify additional requirements or procedures in place of the requirements or procedures waived or modified.

§ 1530.114 Implementation.

Current program participants may qualify under this rule upon concluding a documentation agreement with the Licensing Authority, but must conclude a documentation agreement within 24 months of the effective date of this rule. Participant license balances, as of the effective date of this rule, shall continue under this rule.

§ 1530.115 Paperwork Reduction Act assigned number.

Licensees are not required to respond to requests for information unless the form for collecting information displays a currently valid Office of Management and Budget (OMB) control number. OMB has approved the information collection requirements contained in this part in accordance with 44 U.S.C. chapter 35. OMB number 0551-0015 has been assigned and will expire November 30, 1999.

Signed at Washington, DC on February 5, 1999.

Timothy J. Galvin,

Acting Administrator, Foreign Agricultural Service.

[FR Doc. 99-3500 Filed 2-11-99; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 11 and 135**

[Docket No. 28743; SFAR 81; Amdt. No. 11-43, 135-72]

RIN 2120-AG55

Commercial Passenger-Carrying Operations in Single-Engine Aircraft Under Instrument Flight Rules; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule, published in

the **Federal Register** on May 8, 1998 (63 FR 25572). That final rule revised and clarified certain conditions and limitations in part 135 for instrument flight rule (IFR), passenger-carrying operations in single-engine aircrafts.

DATES: Effective May 4, 1998.

FOR FURTHER INFORMATION CONTACT: Daniel Meier, 202-267-8166.

Correction of Publication

In final rule FR Doc. 98-12229, on page 25572 in the **Federal Register** issue of May 8, 1998 make the following corrections:

1. On page 25572, from the top of the heading in column 1, on line 4, insert the Special Federal Aviation Regulation (SFAR) number and the amendment numbers to read, "SFAR 81; Amdt. Nos. 11-43, 135-72" following the docket number.

Issued in Washington, DC on February 8, 1999.

Donald P. Byrne,

Assistant Chief Counsel, Regulations Division.

[FR Doc. 99-3515 Filed 2-11-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 91, 121, 125 and 135

[Docket No. FAA-1998-4954; Amdt. Nos. 91-257, 121-270, 125-31, 135-73]

RIN 2120-AG70

Crewmember Interference, Portable Electronic Devices, and Other Passenger Related Requirements; Correction.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendments; correction.

SUMMARY: This document contains a correction to the final rule, technical amendments, published in the **Federal Register** on January 7, 1999 (64 FR 1076). That final rule clarified that certain provisions of the current rules are applicable to passengers and others aboard the aircraft.

DATES: Effective January 7, 1999.

FOR FURTHER INFORMATION CONTACT: Carol Toth, 202-267-3073.

Correction of Publication

In final rule FR Doc. 99-58, on page 1076 in the **Federal Register** issue of January 7, 1999 make the following correction:

1. On page 1076, from the top of the heading in column 1, on line 4, insert

the amendment numbers to read "Amdt. Nos. 91-257, 121-270, 125-31, 135-73" following the docket number.

Issued in Washington, DC on February 8, 1999.

Donald P. Byrne,

Assistant Chief Counsel, Regulations Division.

[FR Doc. 99-3516 Filed 2-11-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 172, 173, and 184

Foods and Drugs; Technical Amendments; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendments; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of January 12, 1999 (64 FR 1758). The document amended the regulations that incorporate by reference analytical methods in the "Food Chemical Codex" 3d edition, by updating these references to the 4th edition. The document was published with an error. This document corrects that error.

EFFECTIVE DATE: January 12, 1999.

FOR FURTHER INFORMATION CONTACT: Silvia R. Fasce, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

SUPPLEMENTARY INFORMATION: In FR Doc. 99-563, appearing on page 1758 in the **Federal Register** of Tuesday, January 12, 1999, the following correction is made:

1. On page 1761, in the first column, in amendatory instruction "17", beginning in the fourth line, the phrase "number '1'" is corrected to read "numbers '1' and '2'".

Dated: February 2, 1999.

L. Robert Lake,

Director, Office of Policy, Planning and Strategic Initiatives, Center for Food Safety and Applied Nutrition.

[FR Doc. 99-3559 Filed 2-11-99; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF JUSTICE

28 CFR Part 68

[EOIR No. 116P; A.G. Order No. 2203-99]

RIN 1125-AA17

Rules of Practice and Procedure for Administrative Hearings Before Administrative Law Judges in Cases Involving Allegations of Unlawful Employment of Aliens, Unfair Immigration-Related Employment Practices, and Document Fraud

AGENCY: Office of the Chief Administrative Hearing Officer, Executive Office for Immigration Review, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This interim rule amends the regulations of the Office of the Chief Administrative Hearing Officer (OCAHO) pertaining to employer sanctions, unfair immigration-related employment practice cases, and immigration-related document fraud. The interim rule implements various provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) and the Debt Collection Improvement Act of 1996, and makes various other changes to the OCAHO's procedural regulations.

DATES: This interim rule is effective March 15, 1999. Written comments must be submitted on or before April 13, 1999.

ADDRESSES: Please submit written comments to the Chief Administrative Hearing Officer, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2519, Falls Church, Virginia 22041. To ensure proper handling, please reference EOIR number 1125-AA17 on your correspondence. Comments are available for public inspection at the above address by calling (703) 305-0858 to arrange for an appointment.

FOR FURTHER INFORMATION CONTACT: Peggy Philbin, General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, Virginia 22041, telephone number (703) 305-0470.

SUPPLEMENTARY INFORMATION: The IIRIRA, enacted on September 30, 1996, amends the employer sanctions, unfair immigration-related employment practices and document fraud sections of the Immigration and Nationality Act (INA) in several ways (sections 274A, 274B and 274C of the INA, respectively). The Debt Collection Improvement Act of 1996, Pub. L. No.