Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Food and Consumer Service

7 CFR Part 250

RIN 0584-AB55

Food Assistance in Disaster and Distress Situations

AGENCY: Food and Consumer Service,

USDA.

ACTION: Proposed rule.

SUMMARY: This rule proposes to amend the provisions of the Food Distribution Program Regulations that relate to food assistance provided in response to Presidentially declared disasters and emergencies and in other situations of distress. The proposals contained in this rule address: (1) Simultaneous issuance of commodities and food stamps in a disaster; (2) distribution of commodities to households in situations of distress; (3) authorization for providing commodity assistance; (4) reporting requirements; and (5) the replacement of commodities. In addition, revised definitions are being proposed which encompass the definitions contained in the Robert T. Stafford Disaster Relief and Emergency Assistance Act. These revisions will help ensure that commodity assistance is made available to victims of disasters and to those in situations of distress in the most efficient and effective manner possible while maintaining the integrity of the program.

DATES: To be assured of consideration, comments must be postmarked on or before February 6, 1996.

ADDRESSES: Comments should be sent to: Lillie Ragan, Section Head, Household Programs Section, Policy and Program Development Branch, Food Distribution Division, Food and Consumer Service, U.S. Department of Agriculture, Park Office Center, Room 502, 3101 Park Center Drive, Alexandria, Virginia 22302–1594. Comments in response to this rule may be inspected at 3101 Park Center Drive, Room 502, Alexandria, Virginia, during normal business hours (8:30 a.m. to 5 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Lillie Ragan at the above address or telephone (703) 305–2661.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be not significant for purposes of Executive Order 12866, and, therefore, has not been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

This action has been reviewed with regard to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). The Administrator of the Food and Consumer Service (FCS) has certified that this action will not have a significant economic impact on a substantial number of small entities. The primary impact of the procedures in this rulemaking would be on FCS Regional Offices, State governments and individuals who might apply for disaster or distress commodity benefits. To the extent that county or other local governments assist in the distribution of commodities at a disaster or distress feeding site, they would also be affected.

Executive Order 12372

These programs are listed in the Catalog of Federal Domestic Assistance under 10.550 and are subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, Subpart V and final rule-related notices published at 48 FR 29114, June 24, 1983 and 49 FR 22676, May 31, 1984).

Information Collection

This proposed rule contains information collection requirements which are subject to review and

approval by the Office of Management and Budget (OMB). As required by section 3504(h) of the Paperwork Reduction Act of 1980 (44 U.S.C. 3504(h)), FCS has submitted a copy of this proposed rule to OMB for review of these information collection requirements. The title, description, and respondent description of the information collections are shown below with an estimate of the annual reporting and recordkeeping burdens.

Title: Commodity Assistance to Households in Disasters and Situations of Distress.

Description: In instances when the Food Stamp Program is in operation and commodities are being made available for distribution to households, this proposed rule increases the reporting and recordkeeping burden by requiring the collection of the following minimal information from each household receiving commodities during Presidentially declared disasters and other situations of distress: (1) name of one household member; (2) address; (3) number of persons in the household; and (4) a signed statement of assurance that the household is not receiving food stamp benefits. Such information is necessary in that it can be used by local organizations involved in the distribution of commodities to determine if a household is receiving food stamp benefits, thus significantly reducing the possibility of both food stamp and commodity assistance being provided to households simultaneously.

The reporting and recordkeeping requirements identified below have been submitted to OMB for approval and are not effective until such approval is obtained. The new information collection requirements will not become effective until OMB has assigned a control number. Current reporting and recordkeeping requirements for disaster assistance were approved under Control Number 0584–0037.

Description of Respondents: Relief organizations, households receiving commodities for home consumption in Presidentially declared disasters and other situations of distress when the situation warrants.