

be eligible to receive USDA program benefits of any kind except export incentives.

The Federal Agricultural Improvement and Reform Act of 1996 (Act) authorized the Secretary of Agriculture to conduct, and RMA to administer, options pilot until December 31, 2002. RMA appreciates the active interest and initiative shown by the Coffee, Sugar, & Cocoa Exchange and the Chicago Mercantile Exchange in the development of this program which draws heavily from their ideas and input. If successful, the educational benefits of the DOPP to the producer will prepare the producer to manage price risk independently through the commodities futures and options markets.

Estimate of Burden: Public reporting burden for this collection of information is estimated at 15 minutes per participant because of the high degree of automation associated with the data collection.

Respondents: Producers and brokers.

Estimated Number of Respondents: 35,329.

Estimated Number of Responses per Respondent: 2.

Estimated Total Annual Burden on Respondents: 16,951 hours.

The information to be collected includes an application (Form CCC-320), a record of all trading activity on the producer's behalf and the actual prices obtained by the producer for the production, and a voluntary survey. The information collected from the application, trading record and prices received by the producer will be electronically submitted to FCIC by the broker or brokerage firm. Potential respondents to this information collection are dairy producers, brokers, and brokerage firms. The information collected will be used to determine producer eligibility, to track program compliance and to evaluate the effectiveness of the hedge positions.

Comments: RMA is requesting comments on the following: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information gathering technology.

Comments regarding paperwork reduction should be submitted to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The Office of Management and Budget (OMB) is required to make a decision concerning the collections of information contained in this notice between 30 and 60 days after submission to OMB. Therefore, a comment to OMB is best assured of having full effect if OMB receives it within 30 days of publication. This does not affect the deadline for the public to comment on the notice.

Executive Order 12866

OMB has determined this notice to be significant for the purposes of Executive Order 12866 and, therefore, this notice has been reviewed by OMB.

Cost-Benefit Analysis

The program is designed to increase the level of understanding of options contracts as risk management tools among dairy producers and to explore their specific applicability to the dairy industry. The costs to the Government of options premium under the program are estimated to be about \$10 million annually. If successful, the program will help create liquid markets in basic formula price (BFP) futures and options contracts which would be sustained, in part, by the on-going hedging of output price risk by dairy producers benefiting from the educational aspect of the program. Under that scenario, the benefits of the program would include furnishing producers with a viable price risk management alternative, exerting a stabilizing influence on the dairy industry, and contributing to the Department's goals of supporting market oriented reforms in the agricultural sector.

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. This notice contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector. Therefore, this notice is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order 12612

It has been determined under section 6(a) of Executive Order 12612,

Federalism, that this notice does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this notice will not have a substantial direct effect on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government.

Regulatory Flexibility Act

This notice will not have a significant impact on a substantial number of small entities. The provisions included in this notice will not impact small entities to a greater extent than large entities. All participants will be required to fill out an application and provide documentary evidence of monthly production for at least the previous six months. The amount of work required of brokers will only increase slightly because the information to determine the eligibility of producers and trading activities is already collected by brokers specializing in hedge positions and the only additional burden is collecting the price for the sale of production and the electronic transmittal of this information. Therefore, this action is determined to be exempt from the provisions of the Regulatory Flexibility Act (5 U.S.C. 605) and no Regulatory Flexibility Analysis was prepared.

Federal Assistance Program

This program is not currently listed in the Catalog of Federal Domestic Assistance under No. 10.450.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

Executive Order 12988

This notice has been reviewed in accordance with Executive Order No. 12988 on civil justice reform. The provisions of this notice will not have retroactive effect. The provisions of this notice will preempt State and local laws to the extent such State and local laws are inconsistent herewith. The administrative appeal provisions published at 7 CFR part 11 must be exhausted before action against RMA for judicial review may be brought.

Environmental Evaluation

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore, neither an