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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF AGRICULTURE

Agricultural Research Service

7 CFR Part 505

RIN 0518-AA04

Modification of Interlibrary Loan Fee Schedule

AGENCY: Agricultural Research Service, USDA.

ACTION: Final rule.

SUMMARY: The Agricultural Research Service amends its regulations on the fee schedule for interlibrary loan from the collections of the National Agricultural Library (NAL). The revised fee schedule is based on the method of payment used (traditional invoicing through the National Technical Information Service (NTIS) or payment through the Online Computer Library Center (OCLC) network's Interlibrary Fee Management program, a debit/credit program for interlibrary loan) and eliminates the current billing surcharge, which is instead incorporated into the revised flat fee.

DATES: Effective January 23, 2012, and is applicable beginning January 1, 2012.

ADDRESSES: Address correspondence to Kay Derr, Information Services and Collections Branch, National Agricultural Library, 10301 Baltimore Avenue, Beltsville, MD 20705-2351.

FOR FURTHER INFORMATION CONTACT: Kay Derr, (301) 504-5879 or kay.derr@ars.usda.gov.

FOR FURTHER INFORMATION CONTACT: This rule was published as a proposed rule for comment on September 16, 2011. See 76 FR 57681, September 16, 2011. The potential fee change and publication of the proposed rule were announced on the User Fees section of the NAL Web page and through NAL's Twitter account. Current users of the service were also notified directly by

mail and invited to comment. No comments were received.

The previous fee schedule had not been updated since April 2000. This revision brings these fees up to date in order to support the current cost of providing the service. Elimination of the separate billing surcharge will enable customers to estimate charges more easily and distribute them more effectively within their own institutions.

All of the current services will continue to be offered under the revised fee schedule. The lower fee for payment through the Interlibrary Loan Fee Management (IFM) program reflects the lower administrative cost of these transactions due to the fact that IFM payment is wholly electronic and no invoices have to be produced or mailed. The National Agricultural Library will continue to invoice and collect fees through the National Technical Information Service (NTIS) for libraries which do not pay through IFM. The fee for invoiced requests is higher in order to cover the fee charged by NTIS for producing and processing invoices. This change has been reviewed by the Office of Management and Budget and deemed "not significant."

This action is not a "rule" as defined under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) and thus is exempt from provisions of that Act.

This action is not likely to have an impact of \$100 million or more on the U.S. economy and thus is not a "significant regulatory action" under Executive Order ("E.O.") 12866. Therefore, this notice is not subject to formal Office of Management and Budget review.

List of Subjects in 7 CFR Part 505

Agricultural research, Agriculture, Libraries, Research, User fees.

For reasons set forth in the preamble, the Agricultural Research Service revises 7 CFR part 505 to read as follows:

PART 505—NATIONAL AGRICULTURAL LIBRARY FEES FOR LOANS AND COPYING

Sec.

505.1 Scope and purpose.

505.2 Fees for loans, copying, and reproduction of materials in library collections.

505.3–505.5 [Reserved]

505.6 Payment of fees.

Authority: 5 U.S.C. 301; 7 U.S.C. 3125a.

§ 505.1 Scope and purpose.

These regulations establish fees for loans, copying, or reproduction of materials in the collections of the National Agricultural Library (NAL) within the United States Department of Agriculture (USDA).

§ 505.2 Fees for loans, copying, and reproduction of materials in library collections.

(a) NAL will provide interlibrary loan service (including loans of original materials from its collections and copies of portions of documents with copyright compliance) and charge fees for such service to other non-Federal and non-USDA libraries and institutions. Loans will be provided within the United States and Canada only. Copies will be provided within the United States and internationally.

(b) Interlibrary loan service will be provided at a flat fee of \$18 per request for libraries paying electronically through the Online Computer Library Center's (OCLC) Interlibrary Loan Fee Management (IFM) program and at a flat rate of \$25 per request for libraries paying by other methods.

(c) Cost for replacement of lost or damaged items will be the actual cost to purchase a replacement plus a \$50.00 processing fee; or if replacement cost cannot be determined, a flat rate of \$75.00 for monographs or \$150.00 for audiovisuals per item plus a \$50.00 processing fee.

(d) Photographic services from NAL Special Collections will be charged at cost for reproduction of the photo product (slides, transparencies, etc.) plus a preparation fee of \$25.00 per half hour or fraction thereof.

§ 505.3–505.5 [Reserved]

§ 505.6 Payment of fees.

NAL charges for interlibrary loans through OCLC's IFM Program (an electronic debit/credit payment program for libraries using OCLC's resource sharing service) or by invoice through the National Technical Information Service (NTIS) of the United States Department of Commerce. Payment for invoiced services will be made by check, money order, or credit card in U.S. funds directly to NTIS upon receipt of invoice from NTIS. NAL encourages

users to establish deposit accounts with NTIS for payment of interlibrary loan fees. Subject to a reduction for the actual costs of performing the invoicing service by NTIS, all funds will be returned to NAL for credit to the appropriations account charged with the cost of processing the interlibrary loan request.

Dated: January 13, 2012.

Edward B. Knipling,

Administrator, Agricultural Research Service.

[FR Doc. 2012-1251 Filed 1-20-12; 8:45 am]

BILLING CODE 3410-03-P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Parts 1724 and 1726

RIN 0572-AC20

Electric Engineering, Architectural Services, Design Policies and Construction Standards

AGENCY: Rural Utilities Service, USDA.

ACTION: Final rule.

SUMMARY: The Rural Utilities Service (RUS) is amending the contract threshold amounts that require borrowers to use certain prescribed agency contract forms and the contract dollar amounts that require RUS review of contracts prior to the contract being effective. Also, RUS is raising the threshold amounts requiring RUS borrowers to use certain required procurement methods for materials, equipment and contract services that otherwise would require RUS prior approval. The changes in the threshold amounts will reduce the number of contracts reviewed by the RUS.

DATES: This rule is effective February 22, 2012.

FOR FURTHER INFORMATION CONTACT: Donald Junta, USDA-Rural Utilities Service, 1400 Independence Avenue SW., Stop 1569, Washington, DC 20250-1569. Telephone (202) 720-3720 or email to donald.junta@wdc.usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This 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.

Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. RUS has determined that this rule meets the applicable

standards in § 3 of the Executive Order. In addition, all state and local laws and regulations that conflict with this final rule will be preempted; no retroactive effect will be given to the final rule; and in accordance with § 212(e) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6912(e)), administrative appeal procedures, if any, must be exhausted before litigation against the Department or its agencies may be initiated.

Regulatory Flexibility Act Certification

It has been determined that the Regulatory Flexibility Act is not applicable to this rule since the Agency is not required by 5 U.S.C. 551 *et seq.*, or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Information Collection and Recordkeeping Requirements

This rule contains no additional reporting or recordkeeping burdens under Office of Management and Budget (OMB) control numbers 0572-0107 and 0572-0118 that would require approval under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Executive Order 13132

This rule will 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. Under Executive Order 13132, this rule does not have sufficient federalism implications requiring the preparation of a Federalism Assessment.

Catalog of Federal Domestic Assistance

The program described by this rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.850, Rural Electrification Loans and Loan Guarantees. This catalog is available on the Internet and the General Services Administration's (GSA) free CFDA Web site at <http://www.cfda.gov>.

Executive Order 12372

This rule is not subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs," as implemented under USDA's regulations at 7 CFR part 3015.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Over the last year, the Agency has conducted extensive tribal consultations related to the implementation of the

Substantially Underserved Trust Area (SUTA) provisions of the 2008 Farm Bill. During those consultations all RUS programs were discussed. A specific regulation on SUTA is being prepared.

The policies contained in this rule do not impose substantial unreimbursed compliance costs on Indian Tribal governments or have tribal implications that preempt tribal law.

Unfunded Mandates

This rule contains no Federal mandates (under the regulatory provisions of Title II of the Unfunded Mandates Reform Act of 1995) for State, local, and tribal governments for the private sector. Thus, this rule is not subject to the requirements of §§ 202 and 205 of the Unfunded Mandates Reform Act of 1995.

National Environmental Policy Act Certification

This rule has been examined under RUS environmental regulations at 7 CFR part 1794. The Administrator has determined that this rule is not a major Federal action significantly affecting the environment. Therefore, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an Environmental Impact Statement or Assessment is not required.

E-Government Act Compliance

RUS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

Background

The Rural Electrification Act of 1936 (7 U.S.C. 901-950b (REAct)), as amended, establishes the authority for RUS to provide loans and loan guarantees to eligible entities for furnishing electric service to rural areas. The standard loan agreement between RUS and its electric borrowers provides that, in accordance with applicable RUS regulations, the borrower shall use standard forms of contracts promulgated by RUS for construction, procurement, engineering services and architectural services for transactions above the established threshold dollar levels ("threshold levels").

Electric borrowers are also expected to obtain RUS approvals for procuring materials, equipment and contracting services for use in the electric systems where the contract amount exceeds specified threshold levels.

Threshold levels that apply to contracts entered into by borrowers