

■ b. Remove the word “honey,” wherever the phrase “wild, rice, nuts of any kind (even raw), honey, maple syrup,” appears.

**§ 249.4 [Amended]**

■ 3. In § 249.4, amend paragraph (a)(14)(vii) and the first sentence in paragraph (a)(18) by adding the word “honey,” after “vegetables,”.

■ 4. In § 249.10, amend paragraph (b)(2)(ii) by removing the period and adding “; nor” at the end of the sentence and add a new paragraph (b)(2)(iii) to read as follows:

**§ 249.10 Coupon, market, and CSA program management.**

\* \* \* \* \*

(b)\* \* \*  
(2)\* \* \*

(iii) Collect tax on SFMNP coupon purchases.

\* \* \* \* \*

■ 5. In § 249.25, add a new paragraph (c) to read as follows:

**§ 249.25 Other provisions.**

\* \* \* \* \*

(c) *Exclusion of benefits in determining eligibility for other programs.* The value of any benefit provided to any eligible SFMNP recipient shall not be considered to be income or resources for any purposes under any Federal, State or local law.

Dated: September 4, 2009.

**Julia Paradis,**

*Administrator, Food and Nutrition Service.*  
[FR Doc. E9-22861 Filed 9-22-09; 8:45 am]

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**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Part 77**

[Docket No. APHIS-2008-0124]

**Tuberculosis in Cattle and Bison; State and Zone Designations; New Mexico**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the bovine tuberculosis regulations by establishing two separate zones with different tuberculosis risk classifications for the State of New Mexico. Prior to the interim rule, the entire State of New Mexico had been classified as modified accredited

advanced; however, all its affected herds were located in Curry and Roosevelt Counties, NM, along the State’s eastern border. The interim rule was necessary to relieve restrictions on the interstate movement of cattle and bison from areas of New Mexico outside those two counties.

**DATES:** Effective on September 23, 2009, we are adopting as a final rule the interim rule published at 74 FR 12055–12058 on March 23, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dr. C. William Hench, Senior Staff Veterinarian, National Tuberculosis Eradication Program, Veterinary Services, APHIS, 2150 Centre Ave, Bldg B, MSC 3E20, Ft. Collins, CO 80526; (970) 494-7378.

**SUPPLEMENTARY INFORMATION:**

**Background**

Bovine tuberculosis is a contagious and infectious granulomatous disease caused by the bacterium *Mycobacterium bovis*. Although commonly defined as a chronic debilitating disease, bovine tuberculosis can occasionally assume an acute, rapidly progressive course. While any body tissue can be affected, lesions are most frequently observed in the lymph nodes, lungs, intestines, liver, spleen, pleura, and peritoneum. Although cattle are considered to be the true hosts of *M. bovis*, the disease has been reported in several other species of both domestic and nondomestic animals, as well as in humans.

At the beginning of the past century, tuberculosis caused more losses of livestock than all other livestock diseases combined. This prompted the establishment in the United States of the National Cooperative State/Federal Bovine Tuberculosis Eradication Program for tuberculosis in livestock.

In carrying out the national eradication program, the Animal and Plant Health Inspection Service (APHIS) issues and enforces regulations. The regulations require the testing of cattle and bison for tuberculosis, define the Federal tuberculosis status levels for States or zones (accredited-free, modified accredited advanced, modified accredited, accreditation preparatory, and nonaccredited), provide the criteria for attaining and maintaining those status levels, and contain testing and movement requirements for cattle and bison leaving States or zones of a particular status level. These regulations are contained in 9 CFR part 77 (referred to below as the regulations) and in the Bovine Tuberculosis Eradication Uniform Methods and Rules, 1999, which is incorporated by reference into the regulations.

According to the regulations, if bovine tuberculosis is detected in a portion of a State, the State may request split-State status via partitioning into specific geographic regions or zones with differential status designations. With regard to cattle and bison, State animal health officials in New Mexico demonstrated to APHIS that New Mexico, excluding Curry and Roosevelt Counties, meets the criteria for accredited-free status set forth in the definition of *accredited-free State or zone* in § 77.5 of the regulations.

Therefore, we amended the regulations in an interim rule<sup>1</sup> effective and published in the **Federal Register** on March 23, 2009 (74 FR 12055–12058, Docket No. APHIS-2008-0124), by removing New Mexico from the list of modified accredited States in § 77.9(a), adding an area consisting of Curry and Roosevelt Counties, NM, to the list of modified accredited advanced zones in § 77.9(b), and adding the remainder of the State to the list of accredited-free zones in § 77.7(b).

Comments on the interim rule were required to be received on or before May 22, 2009. We did not receive any comments by that date. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule without change.

We note that the indefinite delay<sup>2</sup> in compliance with certain identification and certification requirements in § 77.10 of the regulations will continue to apply with respect to Curry and Roosevelt Counties, NM, which continue to hold modified accredited advanced status. The specific provisions of § 77.10 for which we delayed the compliance date were as follows:

- The identification of sexually intact heifers moving to approved feedlots and steers and spayed heifers moving to any destination (§ 77.10(b));
- The identification requirements for sexually intact heifers moving to feedlots that are not approved feedlots (§ 77.10(d)); and
- Because identification is required for certification, the certification requirements for sexually intact heifers moving to unapproved feedlots (§ 77.10(d)).

This action also affirms the information contained in the interim

<sup>1</sup> To view the interim rule, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0124>.

<sup>2</sup> The delay was put into place in an interim rule published in the **Federal Register** on September 11, 2008 (73 FR 52775–52777, Docket No. APHIS-2008-0068). The interim rule may be viewed on the Internet at <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0068>.

rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

#### List of Subjects in 9 CFR Part 77

Animal diseases, Bison, Cattle, Reporting and recordkeeping requirements, Transportation, Tuberculosis.

#### PART 77—TUBERCULOSIS

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 77 and that was published at 74 FR 12055–12058 on March 23, 2009.

Done in Washington, DC, this 18th day of September 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9–22960 Filed 9–22–09; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

##### 17 CFR Part 270

[Release No. IC–28903; File No. S7–20–09]

RIN 3235–AK33

#### Disclosure of Certain Money Market Fund Portfolio Holdings

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Interim final temporary rule; request for comment.

**SUMMARY:** The Securities and Exchange Commission (“Commission” or “SEC”) is adopting an interim final temporary rule under the Investment Company Act of 1940 to require a money market fund to report its portfolio holdings and valuation information to the Commission under certain circumstances. The new reporting requirement is designed to provide information substantially similar to that submitted by certain money market funds under the Temporary Guarantee Program for Money Market Funds established by the Department of the Treasury (“Treasury Department”), which will expire on September 18, 2009.

**DATES:** *Effective Date:* September 18, 2009 through September 17, 2010.

*Comment Date:* Comments should be received on or before October 26, 2009.

**ADDRESSES:** Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission’s Internet comment form (<http://www.sec.gov/rules/final.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number S7–20–09 on the subject line; or
- Use the Federal eRulemaking Portal (<http://www.regulations.gov>). Follow the instructions for submitting comments.

#### Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number S7–20–09. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission’s Internet Web site (<http://www.sec.gov/rules/final.shtml>). Comments are also available for public inspection and copying in the Commission’s Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the rule, please contact one of the following members of the staff in the Division of Investment Management, at the Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–8549: Adam B. Glazer, Senior Counsel, or Hunter Jones, Assistant Director at (202) 551–6792; for technical questions related to the submission of portfolio information to the Commission, in the Office of Information Technology, Rick Heroux, at (202) 551–8168.

**SUPPLEMENTARY INFORMATION:** The Commission is adopting new rule 30b1–6T under the Investment Company Act of 1940 (“Investment Company Act” or “Act”)<sup>1</sup> as an interim final temporary

rule. We are soliciting comments on all aspects of the interim final temporary rule. We will carefully consider the comments that we receive and intend to respond to them in a subsequent release.

#### I. Background

Money market funds are open-end management investment companies that invest in short-term obligations and have a principal investment objective of maintaining a net asset value of \$1.00 per share.<sup>2</sup> Since October 2008, most money market funds have participated in the Treasury Department’s Temporary Guarantee Program for Money Market Funds (“Guarantee Program”), which has guaranteed the \$1.00 share value of accounts held by investors as of September 19, 2008 in participating money market funds.<sup>3</sup> The Guarantee Program was established to help stabilize money market funds following a period of substantial redemptions that threatened the ability of some money market funds to maintain the \$1.00 share value.<sup>4</sup> The program will expire on September 18, 2009.<sup>5</sup>

Money market funds participating in the Guarantee Program have been required, in certain circumstances, to submit their portfolio schedules and related information each week to the Treasury Department and the Commission.<sup>6</sup> The Commission has

<sup>2</sup> See generally Valuation of Debt Instruments and Computation of Current Price Per Share by Certain Open-End Investment Companies (Money Market Funds), Investment Company Act Release No. 13380 (July 11, 1983) [48 FR 32555 (July 18, 1983)]. Most money market funds seek to maintain a stable net asset value per share of \$1.00, but a few seek to maintain a stable net asset value per share of a different amount, e.g., \$10.00. For convenience, throughout this release, the discussion will simply refer to the stable net asset value of \$1.00 per share.

<sup>3</sup> Our staff estimates that approximately 79 percent of money market funds participated in the Guarantee Program, and that the money market funds that did not participate in the program were mostly funds that invest predominately in U.S. Treasury and U.S. Government securities.

<sup>4</sup> See Press Release, U.S. Department of the Treasury, Treasury Announces Guaranty Program for Money Market Funds (Sept. 19, 2008), available at <http://www.treas.gov/press/releases/hp1147.htm>.

<sup>5</sup> See Press Release, U.S. Department of the Treasury, Treasury Announces Extension of Temporary Guarantee Program for Money Market Funds (Nov. 24, 2008), available at <http://www.treas.gov/press/releases/hp1290.htm>; Press Release, U.S. Department of the Treasury, Treasury Announces Extension of Temporary Guarantee Program for Money Market Funds (Mar. 31, 2009), available at <http://www.treas.gov/press/releases/tg76.htm>.

<sup>6</sup> See section 5(b) of the Guarantee Agreement that money market funds participating in the Treasury’s Guarantee Program were required to sign (“Guarantee Agreement”), available at [http://www.treas.gov/offices/domestic-finance/key-initiatives/money-market-docs/Guarantee-Agreement\\_form.pdf](http://www.treas.gov/offices/domestic-finance/key-initiatives/money-market-docs/Guarantee-Agreement_form.pdf) (requiring a fund to submit reports when their market-based net asset value is less than \$.9975).

<sup>1</sup> 15 U.S.C. 80a. Unless otherwise noted, all references to statutory sections are to the Investment Company Act, and all references to rules under the Investment Company Act, including rule 2a–7, will be to Title 17, Part 270 of the Code of Federal Regulations [17 CFR 270].