

Accordingly, the national average yield goal for the 1996–97 marketing year will be 2,088 pounds per acre, the same as last year's level.

In accordance with section 317(a)(3) of the 1938 Act, the national acreage allotment for the 1996 crop of flue-cured tobacco is determined to be 418,390.80 acres, derived from dividing the national marketing quota by the national average yield goal.

In accordance with section 317(e) of the 1938 Act, the Secretary is authorized to establish a national reserve from the national acreage allotment in an amount equivalent to not more than 3 percent of the national acreage allotment for the purpose of making corrections in farm acreage allotments, adjusting for inequities, and for establishing allotments for new farms. The Secretary has determined that a national reserve for the 1996 crop of flue-cured tobacco of 2,025 acres is adequate for these purposes.

In accordance with section 317(a)(4) of the 1938 Act, the national acreage factor for the 1996 crop of flue-cured tobacco for uniformly adjusting the acreage allotment of each farm is determined to be 0.935, which is the result of dividing the 1996 national allotment (418,390.80 acres) minus the national reserve (2,025 acres) by the total of allotments established for flue-cured tobacco farms in 1995 (445,307.30 acres).

In accordance with section 317(a)(7) of the 1938 Act, the national yield factor for the 1996 crop of flue-cured tobacco is determined to be 0.9280, which is the result of dividing the national average yield goal (2,088 pounds) by a weighted national average yield (2,250 pounds).

Price Support

Price support is required to be made available for each crop of a kind of tobacco for which quotas are in effect, or for which marketing quotas have not been disapproved by producers, at a level determined in accordance with a formula prescribed in section 106 of the 1949 Act.

With respect to the 1996 crop of flue-cured tobacco, the level of support is determined in accordance with sections 106 (d) and (f) of the 1949 Act. Section 106(f)(7)(A) of the 1949 Act provides that the level of support for the 1996 crop of flue-cured tobacco shall be:

(1) The level, in cents per pound, at which the 1995 crop of flue-cured tobacco was supported, plus or minus, respectively,

(2) An adjustment of not less than 65 percent nor more than 100 percent of the total, as determined by the Secretary after taking into consideration the

supply of the kind of tobacco involved in relation to demand, of:

(A) 66.7 percent of the amount by which:

(I) The average price received by producers for flue-cured tobacco on the United States auction markets, as determined by the Secretary, during the 5 marketing years immediately preceding the marketing year for which the determination is being made, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period, is greater or less than:

(II) The average price received by producers for flue-cured tobacco on the United States auction markets, as determined by the Secretary, during the 5 marketing years immediately preceding the marketing year prior to the marketing year for which the determination is being made, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period; and

(B) 33.3 percent of the change, expressed as a cost per pound of tobacco, in the index of prices paid by the tobacco producers from January 1 to December 31 of the calendar year immediately preceding the year in which the determination is made.

The difference between the two 5-year averages (i.e., the difference between (A) (I) and (II)) is 1.5 cents per pound. The difference in the cost index from January 1 to December 31, 1995, is –1.2 cents per pound. Applying these components to the price support formula (1.5 cents per pound, two-thirds weight; –1.2 cents per pound, one-third weight) results in a weighted total of 0.6 cent per pound. As indicated, section 106 provides that the Secretary may, on the basis of supply and demand conditions, limit the change in the price support level to no less than 65 percent of that amount. In order to remain competitive in foreign and domestic markets, the Secretary used his discretion to limit the increase to 65 percent of the maximum allowable increase. Accordingly, the 1996 crop of flue-cured tobacco will be supported at 160.1 cents per pound, 0.4 cents higher than in 1995.

List of Subjects

7 CFR Part 723

Acreage allotments, Marketing quotas, Penalties, Reporting and recordkeeping requirements, tobacco.

7 CFR Part 1464

Loan programs-agriculture, Price support programs, Reporting and

recordkeeping requirements, Tobacco, Warehouses.

Accordingly, 7 CFR parts 723 and 1464 are amended as follows:

PART 723—TOBACCO

1. The authority citation for 7 CFR part 723 continues to read as follows:

Authority: 7 U.S.C. 1301, 1311–1314, 1314–1, 1314b, 1314b–1, 1314b–2, 1314c, 1314d, 1314e, 1314f, 1314i, 1315, 1316, 1362, 1363, 1372–75, 1421, 1445–1, and 1445–2.

2. Section 723.111 is amended by adding paragraph (d) to read as follows:

§ 723.111 Flue-Cured (types 11–14) tobacco.

* * * * *

(d) The 1996 crop national marketing quota is 873.6 million pounds.

PART 1464—TOBACCO

3. The authority citation for 7 CFR part 1464 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1441, 1445, and 1445–1, 15 U.S.C. 714b and 714c.

4. Section 1464.12 is amended by adding paragraph (d) to read as follows:

§ 1464.12 Flue-Cured (types 11–14) tobacco.

* * * * *

(d) The 1996 crop national price support level is 160.1 cents per pound.

Signed at Washington, DC, on July 11, 1996.

Bruce R. Weber,

Administrator, Farm Service Agency and Executive Vice President, Commodity Credit Corporation.

[FR Doc. 96–18293 Filed 7–18–96; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 264

[INS No. 1686–95]

RIN 1115–AD87

Removal of Form I–151, Alien Registration Receipt Card, From the Listing of Forms Recognized as Evidence of Registration for Lawful Permanent Resident Aliens

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations of the Immigration and Naturalization Service (INS) by removing Form I–151, Alien Registration Receipt Card, from the

listing of forms recognized as evidence of registration as a lawful permanent resident alien. This rule is necessary to complete the establishment of the current Alien Registration Receipt Card, Form I-551, as the exclusive registration card authorized for use by permanent resident aliens.

EFFECTIVE DATE: August 19, 1996.

FOR FURTHER INFORMATION CONTACT:

Gerard Casale, Senior Adjudications Officer, Immigration and Naturalization Service, Room 3214, 425 I Street NW., Washington, DC 20536, telephone (202) 514-5014.

SUPPLEMENTARY INFORMATION:

Background

Section 264(d) of the Immigration and Nationality Act (the Act) provides that every immigrant alien required to register under section 262 of the Act "shall be issued a certificate of alien registration or an alien registration receipt card in such form and manner and at such time as shall be prescribed under regulations issued by the Attorney General." Regulations on this subject, issued under the Attorney General's authority by the INS, are contained in 8 CFR part 264. In particular, 8 CFR 264.1(a) lists the forms prescribed by the Service for the registration of aliens under the Act.

On September 20, 1993, the INS published a final rule in the Federal Register at 58 FR 48775-48780, which provided that the current Form I-551 Alien Registration Receipt Card would be established as the exclusive form of registration for lawful permanent resident aliens, by terminating the validity of the old Form I-151, Alien Registration Receipt Card. The reasons for terminating the validity of the Form I-151 card were discussed in a previous notice of proposed rulemaking published on May 28, 1993, at 58 FR 31000-31003. The final rulemaking published on September 20, 1993, also addressed the public comments which had been solicited on that subject. The INS concluded that, since it was no longer sound public policy to recognize Alien Registration Receipt Cards which predate the current Form I-551, the Form I-551 card must be established as the exclusive Alien Registration Receipt Card. The rule provided for removal of Form I-151 from 8 CFR parts 204, 211, 223, 223a, 235, 251, 252, 274a, 299, 316, and 334, effective September 20, 1994. It also amended 8 CFR part 264 to provide procedures, effective October 20, 1993, by which bearers of the old Form I-151 card can apply to replace it with the current Form I-551 card.

On September 14, 1994, the INS published a final rule (see 59 FR 47063) that delayed the effective date of the amendments to 8 CFR parts 204, 211, 223, 235, 251, 252, 274a, 299, 316, and 334, from September 20, 1994, until March 20, 1995. Subsequently, the INS published another final rule on March 17, 1995 (see 60 FR 14353), which again deferred the effective date of those changes to March 20, 1996.

It later came to the attention of the INS that the intended removal of Form I-151 from the list of forms prescribed in 8 CFR 264.1(b) as evidence of registration for resident aliens had been inadvertently omitted from the previous rulemaking process. Therefore a proposed rule published on May 24, 1995, at 60 FR 27441-27442, provided for the removal of the Form I-151 card from that list. The effective date of removal originally was set for March 20, 1996, the same date on which the other remaining references to Form I-151 as a valid registration card were terminated under the final rule published March 17, 1995. Interested persons were invited to submit written comments on or before July 24, 1995.

The Service received one written comment regarding the proposed rule. Since the closing of the period for public comment, no new factors have impacted the issues raised and discussed in the proposed rule. The following discussion summarizes the Service's conclusions, including issues raised by the commenter.

Removal of Form I-151 From the List of Prescribed Service Forms

The previous rule published on September 20, 1993, provided for removal of the Form I-151 Alien Registration Receipt Card from the list of prescribed INS forms in 8 CFR part 299. In addition, this rule removes Form I-151 from a similar listing in 8 CFR 264.1, relating to forms recognized as evidence of registration for lawful permanent residence. It completes the establishment of the current Form I-551 card as the exclusive registration document for lawful permanent residents, a declared policy objective since the first Form I-151 card replacement program was published in the Federal Register in June 1992.

Returning Immigrants Not in Possession of Valid Form I-551 Cards

In order to effectively establish the current Form I-551 card as the exclusive registration document for permanent resident aliens, the previously cited final rule of September 20, 1993, provided that the old Form I-151 card would no longer be a valid

document. In particular, 8 CFR 211.1, 211.3, 211.5, and 235.9 were amended to remove references to the Form I-151 as a valid document for admission to the United States at Ports-of-Entry. These changes were twice published in the Federal Register: once in the proposed rule dated May 28, 1993, and again in the final rule dated September 20, 1993, cited above. Although public comments regarding various provisions of the proposed rule were received, none raised an objection regarding the amendments to 8 CFR parts 211 and 235.

In response to the present rule, the single commenter expressed concern that on the date when the old Form I-151 would cease to be a valid entry document for the purposes of admission to the United States there would be some bearers of Form I-151 card outside the United States, unaware that the validity of the card had terminated. He proposed that air carriers that return such aliens to the United States be exempted from the administrative fines which section 273 of the Act prescribes for transportation companies that bring immigrants who are not in possession of a valid immigrant visa. The commenter's discussion on this point is not timely. The rule which amended the documentary requirements of 8 CFR 211.1(b) to require returning permanent resident aliens to present a valid Form I-551 Alien Registration Receipt Card at a Port-of-Entry became final more than 2 years ago, on September 20, 1993. As previously stated, no objections were raised during the public comment period preceding adoption of that rule.

In meritorious cases of permanent resident aliens who arrive at a Port-of-Entry with an expired Form I-151 card, the Act and INS regulations allow the INS to grant discretionary relief. 8 CFR 211.1(b)(3) provides that an immigrant returning to an unrelinquished lawful permanent residence who can satisfy the district director in charge of the Port-of-Entry that there is good cause for his or her failure to present a valid Form I-551 Alien Registration Receipt Card may be granted a waiver of that requirement upon the filing of either a Form I-193 visa waiver application or a Form I-90 card replacement application. Moreover, section 273(e)(2) of the Act grants the INS authority to waive a carrier's liability for transporting such an alien, provided it has determined that the circumstances justify such a waiver.

An INS policy memorandum HQ 70/28-P/HQ 70/11.1-P, dated March 19, 1996, provided that the implementation of the final rule terminating the validity of the Form I-151 card was deferred to

April 20, 1996. The memorandum also provides transitional procedures for the processing of returning lawful permanent residents in possession of Form I-151 who apply for admission to the United States at Ports-of-Entry after March 20, 1996. Pursuant to that memorandum and until further notice, lawful permanent resident aliens who present a Form I-151 card, have not made a prior entry since March 20, 1996, and are found to be otherwise admissible to the United States will be admitted and furnished with instructions for the filing of a Form I-90, Application for Replacement Alien Registration Card, and/or instructions regarding the documentation necessary to apply for any subsequent readmission to the United States. The memorandum further provides that, until further notice, the INS Port-of-Entry will not recommend fines under section 273 of the Act against carriers that transport lawful permanent resident aliens bearing Form I-151 cards.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that the rule will not have a significant adverse economic impact on a substantial number of small entities because of the following factors. The provisions of this rule merely clarify the requirements of existing regulations regarding the documentation of lawful permanent resident aliens. Therefore, the new provisions will have no significant adverse economic impact on the small entities.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

The regulations proposed herein will not have substantial direct effects on the 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. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 8 CFR Part 264

Aliens, Immigration, Reporting and recordkeeping requirements.

Accordingly, part 264 of chapter I of Title 8 of the Code of Federal Regulations is amended as follows:

PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

1. The authority citation for part 264 continues to read as follows:

Authority: 8 U.S.C. 1103, 1201, 1201a, 1301-1305.

§ 264.1 [Amended]

2. In § 264.1, paragraph (b) is amended by removing the Form Number and Class Reference to Form "I-151" from the listing of forms.

Dated: May 29, 1996.

Doris Meissner,
Commissioner, Immigration and Naturalization Service.

[FR Doc. 96-18343 Filed 7-18-96; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Parts 318 and 381

[Docket No. 95-001N]

RIN 0583-AB97

Use of Sodium Citrate Buffered With Citric Acid in Certain Cured and Uncured Processed Meat and Poultry Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Affirmation of effective date for direct final rule.

SUMMARY: On April 24, 1996, the Food Safety and Inspection Service (FSIS) published a direct final rule "Use of Sodium Citrate Buffered with Citric Acid in Certain Cured and Uncured Processed Meat and Poultry Products" (61 FR 18047). This direct final rule notified the public of FSIS's intention to amend the Federal meat and poultry products inspection regulations to permit the use of a solution of sodium citrate buffered with citric acid in cured and uncured processed whole-muscle meat and poultry products. This use of sodium citrate buffered with citric acid will inhibit the growth of microorganisms, *Clostridium botulinum* in particular, and retain product flavor during storage. FSIS received no adverse comments within the scope of this

rulemaking in response to the direct final rule.

EFFECTIVE DATE: June 24, 1996.

FOR FURTHER INFORMATION CONTACT: Charles R. Edwards, Director, Product Assessment Division, Regulatory Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700, (202) 254-2565.

Done at Washington, DC, on: July 15, 1996.
Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 96-18400 Filed 7-18-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-SW-16-AD; Amendment 39-9696; AD 96-15-03]

RIN 2120-AA64

Airworthiness Directives; Sikorsky Aircraft Model S-76B Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing Airworthiness Directive (AD), applicable to Sikorsky Aircraft Model S-76B helicopters, that requires an inspection of the drive shaft for cracks or loose balance weights. This amendment also supersedes a Priority Letter AD that currently requires repetitive inspections for cracks in the driveshaft in helicopters with certain engine drive shaft assemblies (drive shafts) installed. This amendment is prompted by a report of a fatigue crack found in a drive shaft that was caused by fretting of a balance weight rivet washer. The actions specified by this AD are intended to prevent failure of the drive shaft, loss of power to the rotor system, and a subsequent forced landing of the helicopter.

DATES: Effective August 19, 1996.

Comments for inclusion in the Rules Docket must be received on or before September 17, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-SW-16-AD, 2601 Meacham Blvd., Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Mr. Terry Fahr, Aerospace Engineer, Boston