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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

Commodity Credit Corporation

7 CFR Part 1485

RIN 0551-AA24

Agreements for the Development of Foreign Markets for Agricultural Commodities

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The Commodity Credit Corporation (CCC) is adopting as a final rule the provisions of the interim final rule published February 1, 1996 (61 FR 3548) regarding implementation of the Market Promotion Program (MPP) authorized by Section 203 of the Agricultural Trade Act of 1978. Specifically, the rule revises procedural and documentation requirements pertaining to program participants' contracts with third parties. This change eases administrative requirements and minimizes the potential for increased costs to participants and possible delays in implementing program activities.

EFFECTIVE DATES: October 11, 1996.

FOR FURTHER INFORMATION CONTACT: Sharon L. McClure or Denise Feters at (202) 720-5521.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule is issued in conformance with Executive order 12866. Based on information compiled by the Department, it has been determined that this rule:

- (1) Would have an annual effect on the economy of less than \$100 million;
- (2) Would not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(3) Would not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(4) Would not alter the budgetary impact of entitlements, grants, user fees, or loan programs or rights and obligations of recipients thereof; and

(5) Would not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or principles set forth in Executive Order 12866.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to the final rule since CCC is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of rulemaking with respect to the subject matter of this rule.

Executive Order 12372

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

Executive Order 12988

This final rule has been reviewed under the Executive order 12988, Civil Justice Reform. The rule would have preemptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The rule would not have retroactive effect. The rule does not require that administrative remedies be exhausted before suit may be filed.

General Comments

The public was given an opportunity to submit written comments on the interim final rule. CCC did not receive any comments. The interim rule is adopted as final.

Information Collection Requirements

The amendment set forth in this final rule does not impose any new reporting or record keeping requirements. The information collection requirements for participating in the MPP were approved for use by the Office of Management and Budget under OMB control number 0551-0027.

List of Subjects in 7 CFR Part 1485

Agricultural commodities, Exports.

PART 1485—AGREEMENTS FOR THE DEVELOPMENT OF FOREIGN MARKETS FOR AGRICULTURAL COMMODITIES

Accordingly, the interim ruling amending 7 CFR part 1485 which was published at 61 FR 3548 on February 1, 1996, is adopted as a final rule without change.

Signed at Washington, DC, this 27th day of September 1996.

Timothy J. Galvin,

Acting Administrator, Foreign Agricultural Service and Vice President, Commodity Credit Corporation.

[FR Doc. 96-26080 Filed 10-10-96; 8:45 am]

BILLING CODE 3410-10-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 103

[INS No. 1794-96]

RIN 1115-AD82

Establishment of a Dedicated Commuter Lane (DCL) System Costs Fee for Participation in the Port Passenger Accelerated Service System (PORTPASS) Program

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Interim rule with request for comments.

SUMMARY: The Immigration and Naturalization Service (Service) published an interim rule with request for comments on September 29, 1995. In that rule the Service indicated that payment of a system costs fee as determined necessary by the Service to cover the costs of technology would be required of all participants. This rule sets forth the amount of that fee. **DATES:** This interim rule is effective October 11, 1996. Written comments must be received on or before December 10, 1996.

ADDRESSES: Please submit written comments, in triplicate, to the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, 425 I Street, NW., Room 5307, Washington, DC 20536. To ensure

proper handling, please reference INS No. 1794-96 on your correspondence. Comments are available for public inspection at this location by calling (202) 514-3048 to arrange for an appointment.

FOR FURTHER INFORMATION CONTACT:

Robert A. Mocny, Assistant Chief Inspector, Inspectors Division, Immigration and Naturalization Service, 425 I Street, NW., Room 4064, Washington, DC 20536, telephone (202) 514-3019.

SUPPLEMENTARY INFORMATION: Payment of a "DCL system costs fee" by PORTPASS program participants at selected Ports of Entry will be necessary to cover the costs of additional technology and associated construction, equipment, and personnel costs made necessary in those locations by law enforcement and security concerns. The provisions of OMB Circular A-25, dated July 8, 1993, entitled "User Charges," sets forth the guidelines used by the Service in the assessment of PORTPASS user charges under the Independent Offices Appropriations Act of 1952 (IOAA). After payment of the system costs fee, if the approved participant wants to enroll any additional vehicles for his or her own use in the program, he or she will be charged an "additional vehicle fee" to cover the costs of purchasing and installing the necessary equipment in each additional vehicle. If the participant loses his or her PORTPASS document, the participant will have to pay a processing fee. Information about the fees, including the amounts, will be included in publications made available to the public prior to and during the application process. Prior to accepting an application from a person seeking to participate in PORTPASS, the Service will inform the prospective applicant of the amount and nature of all fees associated with the PORTPASS program at that POE.

The PORTPASS program is strictly voluntary. All revenue generated by the PORTPASS program will directly support inspections on the land border, and facilitate traffic flow through designated POEs. Fees collected will be used as needed to cover the following costs:

- (1) Hiring additional immigration inspectors, including all associated personnel costs;
- (2) Expanding, operating and maintaining information systems for nonimmigrant control;
- (3) Construction costs, including those associated with the addition of new primary traffic lanes (with the

concurrence of the General Services Administration);

(4) Procuring detection devices and conducting training in the identification of fraudulent documents used by applicants for illegal entry into the United States;

(5) Other costs associated with the operation of the PORTPASS program; and

(6) Costs associated with the administration of the Land Border Inspection Fee Account.

The Service's implementation of this rule as an interim rule, with provision for post-promulgation public comment, is based on the "good cause" exception found at 5 U.S.C. 553(d)(3). The reason and necessity for immediate implementation of this interim rule are as follows: The PORTPASS program is currently and directly benefiting the traveling public by expediting the entry of PORTPASS participants and other members of the traveling public into the United States. The costs to the public have been calculated and evaluated. Pursuant to the provisions of the IOAA and OMB Circular No. A-25, the PORTPASS program must be self-sustaining, and the costs of the system carried by the identifiable recipients of the benefits of the PORTPASS program. Furthermore, a pilot DCL is currently operational on the California-Mexico border. To close the DCL because of the inability to collect costs necessary to sustain the system will unnecessarily harm those who use the DCL and who are already on notice that a fee will be charged once established. Those who wish to forgo payment of the fee will be allowed to withdraw from the program without prejudice. Immediate collection of the fee would enable the DCL to continue its current operation, benefiting the United States, the Service, and members of the traveling public at one of the busiest land border Ports-of-Entry in the United States. It remains in the best interest of all members of the traveling public to collect fees from the users as soon as possible.

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 economic impact on a substantial number of small entities because of the following factors. The rule applies to individuals, not small entities, and provides a clear benefit to participants by allowing expeditious passage through a POE. Although there

is a fee charged for this service, participation is voluntary and the benefits of participating in the program far exceed the cost to the traveling public.

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 103

Administrative practice and procedures, Aliens, Authority delegations (Government agencies), Freedom of Information, Privacy Act, Reporting and record keeping requirements.

Accordingly, part 103 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 552, 552(a); 8 U.S.C. 1101, 1103, 1201, 1252 note, 1252b, 1304, 1356; 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557, 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

2. In § 103.7, paragraph (b)(1) is amended by revising the entry for "Form I-823", and by adding a new entry for the "DCL System Costs Fee," immediately before the entry for Form EOIR-40 to read as follows:

§ 103.7 Fees.

*	*	*	*	*
(b)	*	*	*	
(1)	*	*	*	
*	*	*	*	*

DCL System Costs Fee. For use of a Dedicated Commuter Lane (DCL) located at specific Ports of Entry of the United States by an approved participant in a designated

vehicle—\$80.00, with the maximum amount of \$160.00 payable by a family (husband, wife, and minor children under 18 years-of-age). Payable following approval of the application but before use of the DCL by each participant. This fee is non-refundable, but may be waived by the district director. If a participant wishes to enroll more than one vehicle for use in the PORTPASS system, he or she will be assessed with an additional fee of—\$42 for each additional vehicle enrolled.

* * * * *

Form I-823. For application to a PORTPASS program under section 286 of the Act—\$25.00, with the maximum amount of \$50.00 payable by a family (husband, wife, and minor children under 18 years of age). The application fee may be waived by the district director. If fingerprints are required, the inspector will inform the applicant of the current Federal Bureau of Investigation fee for conducting fingerprint checks prior to accepting the application fee. Both the application fee (if not waived) and the fingerprint fee must be paid to the Immigration and Naturalization Service before the application will be processed. The fingerprint fee may not be waived. For replacement of PORTPASS documentation during the participation period—\$25.00.

* * * * *

Dated: September 27, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96-26286 Filed 10-9-96; 11:44 am]

BILLING CODE 4410-10-M

Food Safety and Inspection Service

9 CFR Parts 304, 308, 310, 320, 327, 381, 416, and 417

[Docket No. 93-016-6N]

Pathogen Reduction/HACCP Regional Implementation Conference

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of Meeting.

SUMMARY: The Food Safety and Inspection Service (FSIS) is holding six regional one-day conferences, "Pathogen Reduction/HACCP Regional Implementation Conference." The purpose of the conferences is to brief the public on the content of the final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems," published on July 25, 1996, and discuss its implementation.

DATES: See **SUPPLEMENTARY INFORMATION** for dates and times of the meetings.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for the location of the meetings.

FOR FURTHER INFORMATION CONTACT: To register for the conference, call (800) 485-4429, FAX (202) 501-7642, or E-mail usdafs/s=sconfer@mhs.attmail.com. If you require a sign language interpreter or other special accommodations, contact Ms. Shelia Johnson at (202) 501-7138 by October 7, 1996.

SUPPLEMENTARY INFORMATION:

On July 25, 1996, FSIS published a final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems" (61 FR 38805). This rule introduced sweeping changes to the meat and poultry inspection system. In the preamble to the final rule, FSIS announced that it would hold implementation conferences in Washington, DC and in various cities around the country (61 FR 38813). The following is a list of locations, dates, and times for each of the six regional implementation conferences.

Conference location	Date	Time
Chicago, Illinois: O'Hare Ballroom, Clarion International at O'Hare Hotel, 6810 North Mannheim Road, Rosemont, Illinois.	October 15, 1996	8:00 a.m.—5:00 p.m.
Kansas City, Missouri: Liberty Room, Westin Crown Center Hotel, One Pershing Road, Kansas City, Missouri.	October 17, 1996	8:00 a.m.—5:00 p.m.
Dallas, Texas: Bank One Center, Fifth Floor, 1717 Main Street, Dallas, Texas	October 22, 1996	8:00 a.m.—5:00 p.m.
Oakland, California: Henry J. Kaiser Convention Center, 10 Tenth Street, Oakland, California.	October 24, 1996	8:00 a.m.—5:00 p.m.
Boston, Massachusetts: Tip O'Neill Federal Building, 10 Causeway Street, Boston, Massachusetts.	November 7, 1996	8:00 a.m.—5:00 p.m.
Atlanta, Georgia: Capitol Ballroom, Radisson Hotel Atlanta, 165 Courtland and International Boulevard, Atlanta, Georgia.	November 13, 1996	8:00 a.m.—5:00 p.m.

At each conference, FSIS officials will discuss Sanitation Standard Operating Procedures, *E. coli* verification testing, HACCP requirements, *Salmonella* testing, and enforcement issues. Time will be allotted for questions and answers.

Done at Washington, DC, on: October 7, 1996.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 96-26165 Filed 10-8-96; 12:05 pm]

BILLING CODE 3410-DM-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

15 CFR Part 400

[Docket No. 960912257-6257-01; Order No. 849]

RIN 0625-AA48

Lapse of Authority Provision; Inactive Foreign-Trade Zones

AGENCY: Foreign-Trade Zones Board, International Trade Administration, Commerce.

ACTION: Rule-related notice.

SUMMARY: Upon review of Section 400.28(a)(5) of the regulations of the Foreign-Trade Zones Board (15 CFR Part 400) (the "lapse provision") and consideration of comments received in

response to Federal Register notices given on April 1, 1996 (61 FR 14290) and on July 8, 1996 (61 FR 35711), the Foreign-Trade Zones (FTZ) Board adopts the following interpretive guidelines and procedures in its implementation of the lapse provision.

EFFECTIVE DATE: October 11, 1996.

FOR FURTHER INFORMATION CONTACT: John J. Da Ponte, Jr., Executive Secretary, Foreign-Trade Zones Board, room 3716, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street NW, Washington, DC 20230 (202/482-2862).

SUPPLEMENTARY INFORMATION:

Background

On October 8, 1991, the Foreign-Trade Zones Board amended its regulations to include, inter alia, a "lapse provision",