

(d) Each handler shall pay a cooperative association for fluid milk products received by transfer from pool plant(s) operated by a cooperative association as follows:

(1) For milk received during the first 15 days of the month, the handler shall pay the cooperative association on or before the last day of the month during which the milk was received at a rate per hundredweight not less than the statistical uniform price applicable at the transferee plant as computed pursuant to § 1079.62(g) and adjusted by the butterfat differential, both for the preceding month; and

(2) For milk received and classified during the month the handler shall pay the cooperative association on or before the 18th day after the end of the month during which the milk was received, as follows:

(i) The hundredweight of Class I milk received times the Class I differential price for the month applicable at the transferee plant, plus the pounds of Class I skim milk times the skim milk price for the month;

(ii) The hundredweight of Class II milk received times the Class II differential price for the month;

(iii) The hundredweight of Class III-A milk received times the Class III-A differential price for the month;

(iv) The pounds of butterfat received times the butterfat price for the month;

(v) The pounds of protein received in Class II and Class III milk times the protein price for the month;

(vi) The pounds of other solids received in Class II and Class III milk times the other solids price for the month;

(vii) The hundredweight of Class II and Class III milk received times the somatic cell adjustment; and

(viii) Less any payment made pursuant to paragraph (d)(1) of this section.

(e) In making payments for producer milk pursuant to paragraph (a)(2) or (b)(2) of this section, each handler shall furnish each producer or cooperative association to whom such payment is made a supporting statement in such form that it may be retained by the recipient which shall show:

(1) The month and the identity of the producer;

(2) The daily and total pounds for each producer;

(3) The total pounds of butterfat contained in the producer's milk;

(4) The total pounds of protein contained in the producer's milk;

(5) The total pounds of other solids contained in the producer's milk;

(6) The somatic cell count of the producer's milk;

(7) The minimum rate or rates at which payment to the producer is required pursuant to this order;

(8) The rate that is used in making payment if such rate is other than the applicable minimum rate;

(9) The amount, rate per hundredweight, or rate per pound of component, and the nature of each deduction claimed by the handler; and

(10) The net amount of payment to such producer or cooperative.

§ 1079.74 Butterfat differential.

The butterfat differential, rounded to the nearest one-tenth cent, shall be 0.138 times the current month's butter price less 0.0028 times the preceding month's average pay price per hundredweight, at test, for manufacturing grade milk in Minnesota and Wisconsin, using the "base month" series, adjusted pursuant to § 1079.51 (a) through (e), as reported by the Department. The butter price means the simple average for the month of the Chicago Mercantile Exchange Grade A butter price as reported by the Department.

§ 1079.75 Plant location adjustments for producers and on nonpool milk.

(a) The producer price differential for producer milk pursuant to § 1079.61 received at a pool plant or diverted from a pool plant shall be reduced according to the location of the plant of actual receipt at the rates set forth in § 1079.52.

(b) For purposes of computations pursuant to §§ 1079.71 and 1079.72 the producer price differential shall be adjusted at the rates set forth in § 1079.52 applicable at the location of the nonpool plant from which the milk was received, except that the adjusted producer price differential shall not be less than zero.

10. Section 1079.76 is amended by removing the reference "§ 1079.71(a)(2)(ii)" in paragraph (b)(1)(iii) and adding in its place "§ 1079.71(a)(2)(v)" and revising paragraph (a)(4) and the last sentence of paragraph (b)(1)(ii) to read as follows:

§ 1079.76 Payments by handler operating a partially regulated distributing plant.

* * * * *

(a) * * *

(4) Multiply the remaining pounds by the amount by which the Class I differential price exceeds the producer price differential, both prices to be applicable at the location of the partially regulated distributing plant, with the difference to be not less than zero; and

* * * * *

(b) * * *

(1) * * *

(ii) * * * Any such transfers remaining after the above allocation which are classified in Class I and for which a value is computed for the handler operating the partially regulated distributing plant pursuant to § 1079.60 shall be priced at the statistical uniform price (or at the weighted average price if such is provided) of the respective order regulating the handling of milk at the transferee-plant, with such statistical uniform price adjusted to the location of the nonpool plant (but not to be less than the lowest class price of the respective order), except that transfers of reconstituted skim milk in filled milk shall be priced at the lowest class price of the respective order; and

* * * * *
Dated: October 23, 1995.

Shirley R. Watkins,
Acting Assistant Secretary, Marketing and Regulatory Programs.

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Commodity Credit Corporation

7 CFR Part 1464

RIN 0560-AD91

Tobacco; Tobacco Loan Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The purpose of this final rule is to adopt, without change, the interim rule published in the Federal Register on May 1, 1995, (60 FR 21036). The interim rule amended the regulations to require that persons seeking tobacco price support must be in compliance with the crop insurance requirements implemented by the Federal Crop Insurance Corporation (FCIC). The crop insurance requirement is mandated amendments to the Federal Crop Insurance Act (FCIA) enacted in the Federal Crop Insurance Reform Act of 1994 ("1994 Act").

EFFECTIVE DATE: November 14, 1995.

FOR FURTHER INFORMATION CONTACT: Gary W. Wheeler, Tobacco Marketing Specialist, United States Department of Agriculture, Consolidated Farm Service Agency, P.O. Box 2415, Washington, D.C., 20013-2415, telephone 202-720-7562.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This final rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore,

has not been reviewed by Office of Management and Budget (OMB).

Federal Assistance Program

The title and number of the Federal Assistance Program, as found in the Catalog of Federal Domestic Assistance, to which this rule applies are: Commodity Loans and Purchases—10.051.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on quality of the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is needed.

Executive Order 12372

This program/activity is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the notice related to 7 CFR part 3015, subpart V published at 48 FR 2915 (June 24, 1983).

Executive Order 12778

This final rule has been reviewed in accordance with Executive Order 12778. The provisions of this final rule are not retroactive and preempt State laws to the extent that such laws are inconsistent with the provisions of this final rule. Before any legal action is brought regarding determinations made under provisions of 7 CFR Part 1464, the administrative appeal provisions set forth at 7 CFR Part 780 must be exhausted.

Paperwork Reduction Act

This final rule does not change the Consolidated Farm Service Agency information collection requirements that have been approved by OMB and assigned control number 0560-0058. FCIC information collection requirements for 0563-0003 have been modified and approved by OMB to reflect the program requirements imposed by the Federal Crop Insurance Reform Act of 1994.

Background and Discussion

Section 106 of the 1994 Act amended Section 508 of the FCIA (7 USC 1501 *et seq.*) to provide in 508 (b)(7) that individuals and entities will not be eligible for any price support or production adjustment program, the Conservation Reserve Program, or any benefit described in section 371 of the Consolidated Farm and Rural Development Act, unless that person or entity obtains at least the catastrophic level of insurance for each crop of

economic significance grown on each farm in the county in which the producer has an interest, if insurance is available in the county for the crop. Section 508 (b)(7) specifies that the term "crop of economic significance" means a crop that has contributed, or is expected to contribute 10 percent or more of the total expected value of all crops grown by the producer.

Other provisions of Section 508 govern the establishment of catastrophic insurance by the FCIC and rules governing these requirements have been codified in 7 CFR Parts 400 and 402. Consequently, the aforementioned May 1, 1995, amended the tobacco program regulations in 7 CFR part 1464 to incorporate the requirements of the 1994 Act by reference to 7 CFR parts 400 and 402. No comments were received and it has been determined that the interim rule should be made final.

Accordingly, the interim rule published in the Federal Register (60 FR 21036, May 1, 1995) amending 7 CFR part 1464 is adopted as final without change.

Signed at Washington, D.C., on November 7, 1995.

Bruce R. Weber,

Acting Executive Vice President, Commodity Credit Corporation.

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 100

[INS No. 1682-94]

RIN 1115-AD72

Implementation of Field Office Structure Within the Immigration and Naturalization Service

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule updates existing Immigration and Naturalization Service (Service) field office structure due to the reorganization effective January 14, 1994. This regulation, which reflects the division of the Service into regions, districts, suboffices, and border patrol sectors, is necessary to ensure that the public has current and accurate up-to-date information on field office structures.

EFFECTIVE DATE: November 14, 1995.

FOR FURTHER INFORMATION CONTACT: Janet Taylor, Program Analyst, Office of

Policy and Planning, Immigration and Naturalization Service, 425 I Street, NW., Room 6052, Washington, DC 20536, telephone (202) 514-3242.

SUPPLEMENTARY INFORMATION: The reorganization of the Immigration and Naturalization Service was approved by Attorney General Reno on January 14, 1994. The reorganization: (a) Created a clearer sense of mission by consolidating the Service's major functions and programs; (b) decentralized decision-making authority and delegated authority to persons geographically closer to the locations where work is being performed; (c) empowered field operational units to improve the delivery of services to customers; (d) reengineered major processes, such as those which develop and disseminate organizational policy and guidelines, and which are outdated approaches to handling records and information; and (e) developed a capability and commitment to plan for the future, set customer service standards, and established quantitative performance measures to enable the Service to evaluate its programs and service delivery.

The Service performs its functions through an extensive network of sites, located in proximity to the customers it serves and the locations where enforcement presence is most needed. The Nation is divided into three regions, each headed by a Regional Director, who directs all aspects of the Service's field operations within his/her assigned geographic areas of activity relating to the administration of immigration laws. The Regional Directors direct and supervise Regional operations staff, District Directors, and Chief Patrol Agents. There are 33 domestic Districts (consisting of Suboffices and Ports-of-Entry) allotted among the three Regions, each headed by a District Director reporting to a Regional Director. In addition, there are three overseas Districts (consisting of Suboffices) which report to the Director, International Affairs. As constituent elements of a field organization, domestic Districts represent the direct operating level of the Service's structure and have been delegated authority for the execution of program operations. Overseas Districts, reporting directly to national Headquarters, perform analogous program functions for immigration matters arising within their geographic areas of jurisdiction. There are 21 Border Patrol Sectors (consisting of Stations), within the three regions, each directed by a Chief Patrol Agent reporting to a Regional Director. The primary mission of the Border Patrol is