suspension last year still exist. UDA maintains that members who increased their milk production to meet the projected demands of fluid handlers for distribution into Mexico continue to suffer the adverse impact of the collapse of the Mexican peso. Absent a suspension, UDA projects that costly and inefficient movements of milk would have to be made to maintain pool status of producers who have historically supplied the market and to prevent disorderly marketing in the Central Arizona marketing area.

Accordingly, it may be appropriate to suspend the aforesaid provisions beginning April 1, 1996, for an indefinite period.

List of Subjects in 7 CFR Part 1131

Milk marketing orders.

The authority citation for 7 CFR Part 1131 continues to read as follows:

Authority: 7 U.S.C. 601–674.

Dated: March 7, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96–5933 Filed 3–12–96; 8:45 am]

BILLING CODE 3410–02–P

Commodity Credit Corporation

7 CFR Part 1427

RIN 0506–AE51

Upland Cotton User Marketing Certificate Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule amends the regulations to set the payment rate for exporters under the user marketing certificate program on the date it is determined by the Commodity Credit Corporation the cotton is shipped. The new method for rate-setting would be effective on the day the final rule is published. Comments are requested on this change.

DATES: Comments on the proposed rule, as well as comments on alternatives to this proposal, must be received on or before April 12, 1996 to be assured of consideration.

ADDRESSES: Submit comments on the proposed rule to: Director, Fibers Analysis Division (FAD), Farm Service Agency (FSA), U.S. Department of Agriculture (USDA), room 3758–S, Ag Code 0515, P.O. Box 2415, Washington, DC 20013–2415. Comments on the information collection must be sent to the Office of Management and Budget (OMB) at the address listed in the Paperwork Reduction Act section of this preamble. A copy of these comments may also be sent to the Department representative at the address shown following the OMB address.

FOR FURTHER INFORMATION CONTACT: Wayne Bjorlie, Director, FAD, FSA, USDA, room 3758–S, Ag Code 0515, P.O. Box 2415, Washington, DC 20013–2415 or call (202) 720–6734. A cost benefit analysis of this rule is available on request.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be significant and was reviewed by OMB under Executive Order 12866.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this proposed rule because the Commodity Credit Corporation (CCC) is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of these determinations.

Environmental Evaluation

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

Federal Assistance Program

The titles and numbers of the Federal Assistance Programs, as found in the catalog of Federal Domestic Assistance, to which this proposed rule applies are: Commodity Loans and Purchases—10.051 and Cotton Production Stabilization—10.052.

Executive Order 12778

This rule has been reviewed in accordance with Executive Order 12778. The provisions of the rule do not preempt State laws, are not retroactive, and do not involve administrative appeals.

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 notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Background

Since the user marketing certificate (Step 2) program began, the payment rate for exporters has been the subject of discussion and controversy, particularly with regard to the bunching of export sales registrations during a week following a period of zero payment rates or a week when the continuing availability of the payments is particularly uncertain. All segments of the cotton industry have expressed interest in making changes. Whereas Step 2 may have been conceived as a program to provide regular payments to exporters based on actual sales made according to historical timing patterns, in reality the existence of the payments has changed the timing of the sales. Bunching of registrations refers to the practice of registering large volumes of cotton export sales with CCC whenever there is a reasonable expectation that such action will capture a larger than average payment rate or a rate which may be available for only a short time. Bunching has occurred because the payment rate has been fixed for the exporter as of the date the sale is registered with CCC. The proposed rule would amend the regulations to set the payment rate for exporters under the user marketing certificate program on the date on which it is determined by CCC that the cotton is shipped, rather than the date on which the sale is registered with CCC. Thus, there would no longer be an incentive to sell large volumes of cotton in advance solely in order to register the sales with CCC and capture a larger payment rate. Under the proposed rule, the rate could not be captured in that way.

Regulations covering payment rate determinations for cotton contracted by exporters for shipment before the final rule is published in the Federal Register and for cotton consumed by domestic users are not changed by this proposed rule. Payment rates for such cotton will be determined in accordance with existing regulations and under the terms and conditions of the Upland Cotton Domestic User/Exporter Agreement, CCC–1045, (4–15–94), Revision 2 (existing agreement), through the day the final rule is published in the Federal Register. Publication of the final rule in the Federal Register and the effective date of the revised agreement will be coordinated so that the existing agreement will remain in effect until the revised agreement goes into effect. To continue to participate in the Step 2 program, exporters and domestic users must sign and return the revised agreement to CCC.

This proposed rule also updates the address of the Kansas City Commodity Office shown in 7 CFR 1427.105, abbreviates several terms used to describe price quotations used in the calculation of the Step 2 payment rate, and updates the ending date for the Step 2 program to July 31, 1998, in accordance with current legislation.

Alternative policies to address problems with the Step 2 program such as rules similar to those in effect under the Export Enhancement Program for exports of agricultural commodities have been suggested for cotton exports under the Step 2 program. Such rules could include a requirement to provide evidence of a bona fide export sales contract, required identification of the end user of cotton sold under a covered contract, required reporting of contract terms, including the amount of the Step 2 payment applied to the sales price, and prohibition of sales through third parties or sales through foreign affiliates of a participating exporter. Comments on these alternative policies, as well as other policies affecting the Step 2 program which may be of interest to the public, will be considered along with comments on the proposed rule.

Paperwork Reduction Act

The amendments to 7 CFR part 1427 set forth in this proposed rule involve a change in the existing information collection requirements which were previously cleared by OMB under the provisions of 44 U.S.C. 35. In accordance with the Paperwork Reduction Act of 1995, CCC has submitted a request to OMB for a revision to an information collection currently approved in support of the upland cotton user marketing certificate program and related reporting and recordkeeping requirements.

Title: Upland Cotton Domestic User/Exporter Agreement and Payment Program.

OMB Control Number: 0560–0136.

Expiration Date of Approval: April 30, 1997.

Type of Request: Revision of a Currently-Approved Information Collection.

Abstract: Section 103B(a)(5)(E) authorizes payments to eligible U.S. mills and exporters under the upland cotton user marketing certificate program if, for 4 consecutive weeks, (1) the U.S. Northern Europe price exceeds the Northern Europe price by more than 1.25 cents per pound, and (2) the upland cotton adjusted world price is less than 130 percent of the current-crop base quality loan rate. Currently, to participate in the program, mills and exporters must sign an agreement with CCC (CCC–1045) and agree to report weekly to CCC their sales contracts (in the case of exporters) and their consumption of cotton (in the case of domestic mills) as a basis for making payments. The proposal would change the requirement for exporters who would report their weekly exports instead of their weekly sales, necessitating a revision in the exporter application for payment (CCC–1045–1). Although the change does not affect domestic users, to continue in the program, all program participants will be required to sign a new agreement which incorporates the changes for exporters.

Certain information collections for both exporters and domestic users have been required since the beginning of the program but were included in the last burden statement under the general category ''Normal Business Records.'' To more accurately assess the paperwork burden, the individual reports have been identified. CCC provides a suggested format for the reports but program participants may submit the same information to CCC in a format that is convenient for them.

Estimate of Burden: Public reporting burden for this information collection is estimated to average 14 minutes per response.

Respondents: U.S. cotton exporters and U.S. cotton mills.

Estimated Number of Respondents: 300.

Estimated Number of Responses per Respondent: 65.

Estimated Total Annual Burden on Respondents: 4,675 hours.

Comments are requested regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Copies of the information collection may be obtained from Janise Zygmont at the above address.

Submit comments on the information collection to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to Janise Zygmont, FAD, FSA, USDA, room 3756–S, Ag Code 0515, P.O. Box 2415, Washington, DC 20013–2415. All comments regarding this information collection will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

OMB is required to make a decision concerning the collection(s) of information contained in these proposed regulations between 30 and 60 days after publication of this document in the Federal Register. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication. This does not affect the deadline for the public to comment to the Department on the proposed regulations.

List of Subjects in 7 CFR Part 1427

Cotton, Loan programs/agriculture, Marketing certificate programs, Price support programs, Warehouses.

Accordingly, 7 CFR part 1427 is proposed to be amended as follows:

PART 1427–COTTON

1. The authority citation for 7 CFR part 1427 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1425, 1444, and 1444–2; 15 U.S.C. 714b and 714c.

2. Section 1427.100 is amended by revising the first sentence of paragraph (a) and revising paragraphs (b)(1) introductory text, (b)(1)(i) and (b)(2) to read as follows:

§ 1427.100 Applicability.

(a) The regulations in this subpart are applicable during the period beginning August 1, 1991, and ending July 31, 1998. * * *

(b)(1) During the period beginning August 1, 1991, and ending July 31, 1998, CCC shall issue marketing certificates or cash payments to domestic users and exporters in accordance with this subpart in a week following a consecutive 4-week period in which—

(i) The Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling one and three thirty-seconds inch (''M 1$\frac{3}{32}$ inch'') cotton, delivered C.I.F. (cost, insurance and freight) northern Europe (''U.S. Northern Europe (USNE) price'') exceeds the Friday through Thursday average price quotation for the five lowest-priced growths, as quoted for M 1$\frac{3}{32}$ inch cotton, delivered C.I.F. northern Europe (''Northern Europe (NE) price'') by more than 1.25 cents per pound; and

(ii) * * *

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, CCC shall not issue marketing certificates or cash payments if, for the immediately preceding consecutive 10-week period, the USNE price, adjusted for the value of any certificates or cash payments issued under paragraph (b)(1) of this section, exceeds the NE price by more than 1.25 cents per pound.

* * * * *

3. Section 1427.103 is amended by revising paragraphs (a)(1) and (a)(2) to read as follows:

§ 1427.103 Eligible upland cotton.

(a) * * *

(1) Opened by an eligible domestic user on or after August 1, 1991, and on or before July 31, 1998, or, excluding cotton covered under paragraph (a)(2) of this section, exported by an eligible exporter on or after [date on which final rule is published in the Federal Register] and on or before July 31, 1998, during a Friday through Thursday period in which a payment rate, determined in accordance with § 1427.107, is in effect, and which meets the requirements of paragraphs (b) and (c) of this section;

(2) Sold for export by an eligible exporter under a written contract entered into on or after August 1, 1991, and on or before [date immediately following date on which the final rule is published in the Federal Register] during a Friday through Thursday period in which a payment rate, determined in accordance with § 1427.107, is in effect and which is exported by the eligible exporter by not later than July 31, 1998, and which meets the requirements of paragraphs (b) and (c) of this section.

* * * * *

4. Section 1427.105 is amended by revising the first sentence of paragraph (b) to read as follows:

§ 1427.105 Upland Cotton Domestic User/Exporter Agreement.

* * * * *

(b) Upland Cotton Domestic User/Exporter Agreements may be obtained from Cotton and Rice Inventory Branch, Cotton and Rice Division, Kansas City Commodity Office, P. O. Box 419205, Kansas City, Missouri 64141–6205. * * *

* * * * *

5. Section 1427.107 is amended by revising paragraphs (a)(1) introductory text, (a)(1)(i), (a)(1)(ii), (a)(2) introductory text, (b), (c), (d) introductory text, (e) introductory text, (f)(1) introductory text, (f)(1)(ii), and (f)(2), and adding a new paragraph (f)(1)(iii) to read as follows:

§ 1427.107 Payment rate.

(a) * * *

(1) For exporters for cotton shipped after (date of publication of final rule in the Federal Register) (excluding cotton covered under paragraph (a)(2) of this section) and for domestic users for bales opened during the period—

(i) Beginning the Friday following August 1 and ending the week in which the Northern Europe current (NEc) price and the Northern Europe forward (NEf) price first become available, the payment rate shall be the difference between the USNE price, minus 1.25 cents per pound, and the NE price in the fourth week of a consecutive 4-week period in which the USNE price exceeded the NE price each week by more than 1.25 cents per pound, and the adjusted world price (AWP) did not exceed the current crop-year loan level for the base quality of upland cotton by more than 130 percent.

(ii) Beginning the Friday through Thursday week after the week in which the NEc price and the NEf price first become available and ending the Thursday following July 31, the payment rate shall be the difference between the USNEc price, minus 1.25 cents per pound, and the NEc price in the fourth week of a consecutive 4-week period in which the USNE price exceeded the NEc price each week by more than 1.25 cents per pound, and the AWP did not exceed the current crop-year loan level for the base quality of upland cotton by more than 130 percent.

(iii) * * *

(2) For exporters, prior to [date of publication of final rule in the Federal Register]—

* * * * *

(b) Notwithstanding the provisions of paragraph (a) of this section, no payment rate shall be established in a week following a consecutive 10-week period in which the USNE price, or as the case may be, the USNEc price or the USNEf price, adjusted for the value of any certificate or cash payment issued in accordance with paragraph (a) of this section, exceeds the NE price, or as the case may be, the NEc price or the NEf price, by more than 1.25 cents per pound.

(c) Notwithstanding the provisions of paragraph (a) of this section, whenever a 4-week period contains a combination of NE prices only for one to three weeks and NEc prices and NEf prices only for one to three weeks such as occurs in the spring when the NE price is succeeded by the NEc price and the NEf price (“spring transition period”) and at the start of a new marketing year when the NEc price and the NEf price are succeeded by the NE price (marketing year transition):

(1) Under paragraphs (a)(1)(i) and (a)(2)(i) of this section, during the marketing year transition, the NEf price and the USNEf price in combination with the NE price and the USNE price shall be taken into consideration during such 4-week periods to determine if a payment is to be issued.

(2) Under paragraphs (a)(1)(ii), (a)(2)(ii), and (a)(2)(v) of this section, during the spring transition period, the NEc price and the USNEc price in combination with the NE price and the USNE price shall be taken into consideration during such 4-week periods to determine if a payment is to be issued.

(d) Notwithstanding any other provision of this section, for contracts made by exporters prior to [date of publication of final rule in the Federal Register], that specify shipment of the cotton by not later than September 30—

* * * * *

(e) For U.S. cotton sold by the exporter under an optional origin contract prior to [date following date of publication of final rule in the Federal Register], the payment rate * * *

(f) * * *

(1) With respect to the determination of the USNE price, the USNEc price, the USNEf price, the NE price, the NEc price and the NEf price—

(i) * * *

(ii) If no daily quotes are available for the entire 5-day period for either or both the USNE price and the NE price during the period when only one daily price quotation is available for each growth quoted for M 1$\frac{3}{32}$ inch cotton, delivered C.I.F. northern Europe; or the USNEc price and the NEc price; or the USNEf price and the NEf price, that week will not be taken into consideration, in which case, CCC may establish a payment rate at a level it determines appropriate, taking into consideration the payment rate determined in accordance with paragraph (a) of this section for the latest available week.

(iii) Beginning [date of publication of final rule in the Federal Register], if no daily quotes are available for the entire 5-day period for either or both the USNEc price and the NEc price, the marketing year transition shall be implemented immediately as provided for in paragraph (c)(1) of this section.

(2) With respect to the determination of the USNE price, the USNEc price and the USNEf price, if a quote for either the U.S. Memphis territory or the California/Arizona territory as quoted for M 1$\frac{3}{32}$ inch cotton, delivered C.I.F.

northern Europe, is not available for each or any day of the 5-day period, the available quote will be used.

* * * * *

6. Section 1427.108 is amended by revising paragraphs (a)(2), (c)(1), and (c)(2), and adding a new paragraph (c)(3) to read as follows:

§ 1427.108 Payment.

(a) * * *

(1) * * *

(2) The net weight (gross weight minus the weight of bagging and ties) as determined in accordance with paragraph (b) of this section, of eligible upland cotton as determined in accordance with paragraph (c) of this section.

* * * * *

(c) * * *

(1) Purchased by the domestic users on the date the bale is opened in preparation for consumption;

(2) From August 1, 1991, through [date immediately following date on which the final rule is published in the Federal Register], sold by the exporter on the date the contract for sale is confirmed in writing; and

(3) Excluding cotton covered under paragraph (c)(2) of this section, through July 31, 1998, exported by the exporter on the date that CCC determines is the date on which the cotton is shipped.

* * * * *

7. Section 1427.109 is amended by revising paragraphs (a)(1) through (a)(3) to read as follows:

§ 1427.109 Contract cancellations.

(a) * * *

(1) All undelivered (open) export contracts (including optional origin export contracts) outstanding as of the later of the date the Agreement (CCC–1045, 8–1–91) was executed by the exporter or August 29, 1991;

(2) Any export contracts that were canceled, or amended to reduce the contract quantity, between the later of June 18, 1991, or 75 days prior to the date the Agreement (CCC–1045, 8–1–91) was executed by the exporter and the later of the date the Agreement (CCC–1045, 8–1–91) was executed by the exporter, or August 29, 1991, which are not replaced by the later of the date the Agreement (CCC–1045, 8–1–91) was executed by the exporter or August 29, 1991; and

(3) All new export contracts entered into by the exporter on or after August 30, 1991, and on or before [date immediately following date on which the final rule is published in the Federal Register].

Signed at Washington, D.C., on March 6, 1996.

Grant Buntrock,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 96–5868 Filed 3–12–96; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–256–AD]

Airworthiness Directives; Piaggio Model P–180 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Piaggio Model P–180 airplanes. This proposal would require replacement of outflow/safety valves with serviceable valves. This proposal is prompted by a report of cracking and subsequent failure of outflow safety valves in the pressurization system. The actions specified by the proposed AD are intended to prevent such cracking and subsequent failure of the outflow/safety valves, which could result in rapid decompression of the airplane.

DATES: Comments must be received by April 22, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–256–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Allied Signal Aerospace, Technical Publications, Dept. 65–70, P.O. Box 52170, Phoenix, Arizona 85072–2170. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Walter Eierman, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5336; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 95–NM–256–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–256–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received a report of the failure of a safety valve in the pressurization system on a Learjet Model 31A airplane. Failure of the valve resulted in depressurization of the cabin. Investigation revealed that the poppets of certain outflow/safety valves were cracked. These discrepant valves, including the safety valve installed on the incident airplane, had been manufactured since January 1, 1989. Certain valves manufactured since that date have been found to be susceptible to cracking due to an improper molding process during their manufacture. Cracking in the poppets of the outflow/