

Dated: October 31, 1996.

Doris Meissner,

*Commissioner, Immigration and  
Naturalization Service.*

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Donald P. Byrne,  
*Assistant Chief Counsel.*

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#### Discussion of Comments and Changes

Current 33 CFR 117.253(b) requires the draw of the CONRAIL bridge to open on signal: At any time for public vessels, State and local government vessels, commercial vessels, and any vessels in an emergency involving danger to life or property year round; on Saturdays, Sundays and Federal holidays from April 1 through September 30 for recreational boats; and on Weekdays other than Federal holidays between the hours of 7 a.m. and 11 p.m. from April 1 through September 30 for recreational boats. It must open at all other times for recreational boats if at least eight hours notice is given. Under the proposed changes to § 117.253(b) in the NPRM, the bridge would be required to continue to open on signal year round for public vessels, State and local government vessels, commercial vessels, and any vessels in an emergency involving danger to life or property. However, it would not be required to open on signal for recreational vessels except between the hours of 9 a.m. and 12 noon and 1 p.m. and 6 p.m. from May 15 to September 30. It would also be required to open between 6 p.m. and 7 p.m. from May 15 to September 30 if notice is given to the bridge tender not later than 6 p.m. on the day on which the opening is requested.

Four comments were received. A letter from a group of Anacostia River bridge tenders claimed that the volume of traffic would increase as a result of proposed development upriver from the bridge. According to the comment, the State of Maryland recently purchased an upriver marina and has begun renovations to attract additional boating traffic. It also claimed that the data on which CONRAIL based its request was invalid. It asked the Coast Guard to delay any changes in the bridge operating schedule until after the 1996 boating season. A second letter from a transportation workers union asked the Coast Guard to deny the requested change. It also claimed that planned development by the State of Maryland would increase boating traffic and that the request was based on invalid data. A letter from a conservation group opposed the proposed changes due to concerns that they would restrict access by emergency response vessels and would have a negative impact on recreational boating. A letter from D.C. Fireboats expressed concern that the proposed changes would restrict access by emergency response vessels during periods of unexpected high water which would require a bridge opening for their boats. It did not oppose the proposed

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 121

[Docket No. 27219; Amendment 121-261]

RIN 2120-AD74

#### Protective Breathing Equipment; Correction

AGENCY: Federal Aviation  
Administration (FAA), DOT.

ACTION: Final rule; correction.

**SUMMARY:** This document contains a correction to the Protective Breathing Equipment final rule, 61 FR 43918, published August 26, 1996. The rule amended the regulations governing portable protective breathing equipment (PBE) required for crewmembers' use in combating in-flight fires. It is intended to codify exemptions currently in place, clarify ambiguities in the existing regulation, and allow air carriers added flexibility with compliance while maintaining or increasing safety. This action will correct the final rule statement that removes paragraph (d)(1) of § 121.337, since paragraph (d) of § 121.337 was removed as a result of the Commuter Operations and General Certification and Operations Requirement final rule, 60 FR 665832, published December 20, 1995.

**EFFECTIVE DATE:** November 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** Gary Davis, 202-267-8096.

#### The Correction

In considering of the foregoing, the Federal Aviation Administration corrects the final rule published August 26, 1996, (61 FR 43918) amending 14 CFR part 121. On page 43921 in the third column, amendatory instruction number 2 is corrected to read as follows: "2. Section 121.337 is amended by removing paragraph (b)(9)(i); by redesignating paragraphs (b)(9)(ii), (b)(9)(iii), and (b)(9)(iv) as (b)(9)(i), (b)(9)(ii), and (b)(9)(iii); by revising paragraph (b)(9)(iii); and by revising newly designated paragraph (b)(9)(iii)."

#### Coast Guard

#### 33 CFR Part 117

[CGDO5-95-081]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Anacostia River, Washington, DC

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

**SUMMARY:** At the request of the Consolidated Rail Corporation (CONRAIL), the Coast Guard is changing the regulations that govern the operation of the railroad bridge across the Anacostia River, mile 3.4 at Washington, DC, by extending the winter seasonal restrictions and reducing the hours of operation during the boating season. This rule is intended to relieve the bridge owner of the burden of having a bridgetender staff the bridge during periods of non-use, while still providing for the reasonable needs of navigation.

**EFFECTIVE DATE:** This rule is effective on December 9, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Ann B. Deaton, Bridge Administrator, U.S. Coast Guard Atlantic Area, at (757) 398-6222.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

On January 10, 1996, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Anacostia River, Washington, DC" in the Federal Register (61 FR 709). The comment period ended April 9, 1996. Four comments were received. A public hearing was not requested and one was not held.

#### Background and Purpose

The CONRAIL drawbridge crosses the Anacostia River at mile 3.4. The proposed changes were requested by CONRAIL to extend the Winter seasonal restrictions, and reduce the hours of operation during the boating season. This will relieve the bridge owner of the burden of having a bridgetender staff the bridge during periods of non-use.