which case we will use the harvested production. If you do not continue to care for the crop, our appraisal made prior to deferring the claim will be used to determine the production to count; and

(2) For all states except California, all harvested and appraised marketable pear production from the insurable acreage.

(3) For California, all harvested and appraised production that:

(i) Meets the standards for first grade canning as defined by the California Pear Advisory Board or for U.S. Number 1 as defined by the United States Standards for Grades of Summer and Fall Pears, or Pears for Processing, or for U.S. Extra Number 1 or U.S. Number 1 as defined by the United States Standards for Grades of Winter Pears;

(ii) Is accepted by a processor for canning or packing; or

(iii) Is marketable for any purpose. However, if the pears are damaged by an insured cause, the production to count will be reduced by the greater of the following amounts:

(A) The excess over ten percent (10%) of pears that are size 180 or smaller for varieties other than Forelle, Seckel or Winter Nelis; or

(B) The result of dividing the value per ton of such pears by the highest price election for the insured varietal group, subtracting this result from 1.000, and multiplying this difference (if positive) by the number of tons of such pears.

12. Written Agreements

Designated terms of this policy may be altered by written agreement in accordance with the following:

(a) You must apply in writing for each written agreement no later than the sales closing date, except as provided in section 12(e);

(b) The application for a written agreement must contain all variable terms of the contract between you and us that will be in effect if the written agreement is not approved;

(c) If approved, the written agreement will include all variable terms of the contract, including, but not limited to, crop type or variety, the guarantee, premium rate, and price election;

(d) Each written agreement will only be valid for one year (If the written agreement is not specifically renewed the following year, insurance coverage for subsequent crop years will be in accordance with the printed policy); and

(e) An application for a written agreement submitted after the sales closing date may be approved if, after a physical inspection of the acreage, it is determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

13. Pear Quality Adjustment Endorsement

(a) This endorsement applies to any crop year: *Provided*,

(1) The insured pears are located in a State other than California and the actuarial table designates a premium rate for this endorsement;

(2) You have not elected to insure your pears under the Catastrophic Risk Protection (CAT) Endorsement;

(3) You elected it on your application or other form approved by us, and did so on or before the sales closing date for the initial crop year for which you wish it to be effective. By doing so, you agreed to pay the additional premium designated in the actuarial table for this optional coverage; and

(4) You or we did not cancel it in writing on or before the cancellation date. Your election of CAT coverage for any crop year after this endorsement is effective will be considered as notice of cancellation by you.

(b) If the pear production is damaged by hail and if eleven percent (11%) or more of the harvested and appraised production does not grade at least U.S. No. 2 in accordance with applicable United States Standards for Grades of Summer and Fall Pears, United States Standards for Grades of Winter Pears, or United States Standards for Grades of Pears for Processing, as applicable, due solely to hail, the amount of production to count will be reduced as follows:

(i) By two percent (2%) for each full one percent (1%) in excess of ten percent (10%), when eleven percent (11%) through sixty percent (60%) of the pears fail the grade standard; or

(ii) By one hundred percent (100%) when more than sixty percent (60%) of the pears fail the grade standard.

The difference between the reduced production determined in section 13(b) and the total production will be considered as cull production.

(c) Pears that are knocked to the ground by wind or that are frozen and cannot be packed or marketed as fresh pears will be considered one hundred percent (100%) cull production.

(d) Marketable production that grades less than U.S. No. 2 due to causes not covered by this endorsement will not be reduced.

(e) Fifteen percent (15%) of all production considered as cull production in accordance with section 13 (b) and (c) will be production to count.

Signed in Washington, D.C., on October 31, 1996.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 96–28607 Filed 11–6–96; 8:45 am]

BILLING CODE 3410–FA–P

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7 CFR Part 457

RIN 0563–AB56

Common Crop Insurance Regulations; Texas Citrus Fruit Crop Insurance Provisions; Correction

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final regulation which was published Thursday, August 8, 1996 (61 FR 41297–41303). The regulation pertains to the insurance of Texas citrus fruit.

EFFECTIVE DATE: November 6, 1996.

FOR FURTHER INFORMATION CONTACT: Louise Narber, Program Analyst, Research and Development Division, Product Development Branch, Federal Crop Insurance Corporation, United States Department of Agriculture, 9435 Holmes Road, Kansas City, MO 64131, telephone (816) 926–7730.

SUPPLEMENTARY INFORMATION:

Background

The final regulation that is the subject of this correction was intended to provide policy changes to better meet the needs of the insured and to combine the Texas Citrus Endorsement with the Common Crop Insurance Policy for ease of use and consistency of terms.

Need For Correction

As published, the final regulations contained an error which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication on August 8, 1996, of the final regulation at 61 FR 41297–41303 is corrected as follows:

PART 457—[CORRECTED]

§ 457.119 [Corrected]

On page 41302, in the second column, in § 457.119, section 10(a)(8) is corrected to read ''Failure of the irrigation water supply if caused by an insured peril or drought that occurs during the insurance period.''

Signed in Washington D.C., on October 31, 1996.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 96–28606 Filed 11–6–96; 8:45 am]

BILLING CODE 3410–FA–P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 103

[INS No. 1802–96]

Extension of Implementation Date for Use of Designated Fingerprinting Services

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: A final rule certifying Designated Fingerprinting Services (DFS) to take fingerprints of applicants for immigration benefits was published by the Immigration and Naturalization

Service (''the Service'') in the Federal Register on June 4, 1996, with an effective date of July 5, 1996. Implementation was to have begun on November 1, 1996. Due to an insufficient number of certification requests received by the Service, the Service is amending its regulations by extending the implementation date. This will give prospective DFSs additional time to submit their applications. The purpose is to ensure adequate fingerprint services are available to applicants for immigration benefits. The Service will now require applicants for immigration benefits to submit fingerprints taken either by Service officers or those entities that have filed an application for DFS certification with the Service before March 1, 1997.

EFFECTIVE DATE: November 1, 1996.

FOR FURTHER INFORMATION CONTACT:

Customer Service Branch, Immigration and Naturalization Service, Benefits Division, Room 3040, 425 I Street, NW., Washington, DC 20536, telephone (202) 307–3587 or Jack Rasmussen, Staff Officer, (202) 514–3156, fax (202) 514–2093.

SUPPLEMENTARY INFORMATION:

Background

The final rule certifying Designated Fingerprinting Services (DFSs) to take fingerprints of applicants for immigration benefits was published by the Service in the Federal Register on June 4, 1996, at 61 FR 28003, and became effective on July 5, 1996. That final rule established the eligibility requirements and application procedures for DFS certification. The implementation of that rule will facilitate the processing of applicants for immigration benefits, protect the integrity of the fingerprinting process, and relieve the strain on Service personnel from taking fingerprints. The final rule would have been implemented in two stages: (1) As of November 1, 1996, the Service would have required that all fingerprints submitted to taken by a Service employee, a DFS fingerprinter, including law enforcement agency that is registered as a DFS, or an intending DFS who has completed and filed an application for certification with the Service; and (2) as of January 1, 1997, the Service would have only accepted from applicants for immigration benefits fingerprint cards taken by an approved or authorized entity or Service employee.

Extension of the Implementation Dates

In order to ensure adequate fingerprint services are available to applicants for benefits, the Service is extending the DFS implementation date to March 1, 1997. As of that date, all fingerprints submitted to INS with applications must have been taken by a DFS fingerprinter, including law enforcement agencies who file for DFS status, an intending DFS who has completed and filed an application for certification with the Service, or a Service employee. The time required for adjudication of an application may vary due to the need for additional information. Since we do not wish to interrupt the operation of a business unnecessarily, no final cessation date for the authority of ''pending'' applications will be imposed until the application has been adjudicated. However, prospective DFSs who file their applications on or after March 1, 1997, must wait until after their applications have been processed and they have been certified by the Service before beginning to provide fingerprint services.

The Service's implementation of this rule as a final rule is based on the ''good cause'' exception found at 5 U.S.C. 553(b)(B). The reason and necessity for immediate implementation are as follows: This regulation relates to agency management and practice of good customer service because it will give prospective DFSs more time to file their applications and allow the public to utilize fingerprinting services in their own communities.

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. This rule merely extends the implementation date to allow prospective DFS's sufficient time to submit their applications.

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 12988

This final rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988.

Executive Order 12612

The regulation 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 procedure, Authority delegations (Government agencies), Reporting and recordkeeping 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, 552a; 8 U.S.C. 1101, 1103, 1201, 1252 note, 125b, 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. Section 103.2 is amended by:

a. Revising the introductory text in paragraph (e)(3); and

b. Revising paragraph (e)(3)(ii), to read as follows:

§ 103.2 Applications, petitions, and other documents.

* * * * *

(e) * * *

(3) *Transition to use designated fingerprinting services.* As of March 1, 1997, the Service will not accept fingerprint cards for immigration benefits unless they are taken by:

* * * * *

(ii) An intending DFS or organization that has completed and filed an application for DFS status prior to March 1, 1997, which may, pending the Service's action upon its application, take fingerprints and complete the Form I–850A, indicating that its application for DFS status is pending. This provisional authority for an outside entity shall cease when its application is denied;

* * * * *

Dated: October 31, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96–28585 Filed 11–1–96; 4:25 pm]

BILLING CODE 4410–10–M

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).''

Issued in Washington, DC on October 28, 1996.

Donald P. Byrne,

Assistant Chief Counsel.

[FR Doc. 96–27991 Filed 11–6–96; 8:45 am]

BILLING CODE 4910–13–M

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.

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 is 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