

\$17.5 million. USDA issued formal decision and orders in 322 cases involving award amounts totaling approximately \$5.6 million. The largest award issued by USDA in Fiscal Year 2007 ordered payment of over \$257,000 to a fruit and vegetable dealer.

In Fiscal Year 2006, AMS received 1,559 informal reparation complaints of which 92 percent were resolved informally within a 4-month timeframe. In Fiscal Year 2006, informal settlements exceeded \$18.7 million. There were 300 formal reparation complaints filed under the Act that year.

AMS does not expect this proposal to raise a significant amount of revenue for the PACA program (estimated at \$144,000 annually), but by increasing the fees for filing informal and formal reparation complaints, AMS believes that the burden for financing the PACA program is shifted more towards those who benefit directly from using PACA program services.

#### Executive Orders 12866 and 12988

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866, and therefore, has not been reviewed by the Office of Management and Budget.

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform, and is not intended to have retroactive effect. This proposed rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule. There are no administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this proposed rule.

#### Effects on Small Businesses

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601, *et seq.*), USDA has considered the economic impact of this proposed rule on small entities. The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Small agricultural service firms have been defined by the Small Business Administration (13 CFR part 121) as those with less than 500 employees. The PACA requires all businesses that operate subject to its provisions to maintain a license issued by USDA. There are approximately 14,500 PACA licensees, a majority of which may be classified as small entities.

Over the past 4 years, the number of informal and formal reparation complaints filed with AMS under the

PACA has gradually decreased. AMS believes that this decrease is due in part to enhanced PACA customer service focused on educating members of the produce industry of their rights and responsibilities under the PACA, as well as increased efforts to settle informal reparation complaints through mediation.

It is doubtful that any barrier to the use of USDA's PACA reparation procedure would be created by raising the filing and handling fees for informal and formal reparation complaints. Most complaints involve produce transactions valued in the thousands of dollars, making the proposed increase from \$60 to \$100 for filing an informal reparation complaint insignificant by comparison. In addition, the handling fee for filing a formal reparation complaint is recoverable as part of the amount awarded by USDA if the complainant prevails in the case. AMS believes that those who wish to initiate formal proceedings in a reparation case would consider the proposed increase in the formal reparation complaint handling fee from \$300 to \$500 to be insignificant as well.

Given the preceding discussion, AMS has determined that the provisions of the proposed rule would not have a significant impact on a substantial number of small entities.

#### Paperwork Reduction Act

In accordance with OMB regulations (5 CFR Part 1320) that implement the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection and record keeping requirements that are covered by this proposed rule were approved under OMB number 0581-0031 on October 5, 2004, and expire on October 31, 2007.

#### E-Government Act Compliance

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

#### List of Subjects in 7 CFR Part 47

Administrative practice and procedure, Agricultural commodities, Brokers.

For the reasons set forth in the preamble, AMS proposes to amend 7 CFR part 47 as follows:

#### PART 47—[AMENDED]

1. The authority citation for part 47 is revised to read as follows:

**Authority:** 7 U.S.C. 499f; 5 U.S.C 553; 7 CFR 2.22(a)(1)(viii)(L), 2.79(a)(8)(xiii).

2. In § 47.3, paragraph (a)(4) is revised as follows:

#### § 47.3 Institution of proceedings.

- (a) \* \* \*  
(1) \* \* \*  
(2) \* \* \*  
(3) \* \* \*

(4) The informal complaint shall be accompanied by a filing fee of \$100 as authorized by the Act.

\* \* \* \* \*

3. In § 47.6, paragraph (c) is revised as follows:

#### § 47.6 Formal complaints.

\* \* \* \* \*

(c) Service upon respondent; proof of service. Upon receipt by the Fruit and Vegetable Programs of the formal complaint, the accompanying papers and the \$500 handling fee authorized by the Act, a copy thereof shall be served by the Fruit and Vegetable Programs upon the respondent in accordance with Sec. 47.4 of this Part. If the complaint is not in the proper form, the Fruit and Vegetable Programs shall return it and inform the complainant of the deficiencies therein.

\* \* \* \* \*

Dated: October 26, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7-21477 Filed 10-31-07; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

#### 8 CFR Parts 103, 204, 214 and 299

[DHS Docket No. USCIS-2005-0030; CIS No. 2302-05]

RIN 1615-AA16

#### Special Immigrant and Nonimmigrant Religious Workers; Reopening the Public Comment Period

**AGENCY:** U.S. Citizenship and Immigration Services, DHS.

**ACTION:** Proposed rule; extending and reopening the public comment period.

**SUMMARY:** U.S. Citizenship and Immigration Services announces the extension and reopening of the public comment period for the proposed rule entitled "Special Immigrant and Nonimmigrant Religious Workers." The

proposed rule was initially published in the **Federal Register** on April 25, 2007. Written comments on the proposed rule were to be submitted on or before June 25, 2007 (a 60-day comment period) in order to be assured of consideration. U.S. Citizenship and Immigration Services has decided to accept late-filed comments and reopen the public comment period for an additional 15 days.

**DATES:** Written comments on the proposed rule must be submitted on or before November 16, 2007. Comments received by USCIS after this date will not be considered.

**ADDRESSES:** You may submit comments, identified by DHS Docket No. USCIS-2005-0030, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Chief, Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529. To ensure proper handling, please reference DHS Docket No. USCIS-2005-0030 on your correspondence. This mailing address may also be used for paper, disk, or CD-ROM submissions.

- *Hand Delivery/Courier:* Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529. Contact Telephone Number (202) 272-8377.

**FOR FURTHER INFORMATION CONTACT:** Rodger Pitcairn, Adjudications Officer, Service Center Operations, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529, telephone: 202-272-8410, fax: 202-272-1398, e-mail: [rodger.pitcairn@dhs.gov](mailto:rodger.pitcairn@dhs.gov).

**SUPPLEMENTARY INFORMATION:** On April 25, 2007, U.S. Citizenship and Immigration Services (USCIS) published a proposed rule entitled, "Special Immigrant and Nonimmigrant Religious Workers," at 72 FR 20442. This rule proposed significant amendments to USCIS regulations governing the special immigrant religious worker category. You may view a copy of the April 25, 2007, proposed rule at <http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/E7-7743.htm>.

USCIS received numerous comments by the close of the 60-day public comment period, June 25, 2007.

However, several potential commenters have requested additional time to prepare and submit comments. Accordingly, USCIS has decided to reopen the comment period for an additional 15 days, beginning on November 1, 2007 and ending on November 16, 2007. In addition to this comment period reopening, USCIS will extend the original comment period for the interim period between the close of the original comment period on June 25, 2007, and November 16, 2007 and consider those comments received during that period as timely submitted. Comments received by USCIS after November 16, 2007 will not be considered in drafting the final rule.

Dated: October 25, 2007.

**Emilio T. Gonzalez,**

*Director, U.S. Citizenship and Immigration Services.*

[FR Doc. E7-21469 Filed 10-31-07; 8:45 am]

**BILLING CODE 4410-10-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-0129; Directorate Identifier 2007-NM-099-AD]

RIN 2120-AA64

#### Airworthiness Directives; EMBRAER Model EMB-135BJ Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

It has been found that some adhesive tapes used in the interior furnishings do not comply with the applicable flammability requirements. In case of some nearby ignition source, fire may propagate to the aircraft.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by December 3, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* (202) 493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2007-0129; Directorate Identifier 2007-NM-099-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

The Agência Nacional de Aviação Civil (ANAC), which is the aviation authority for Brazil, has issued Brazilian Airworthiness Directive 2007-03-04, effective April 10, 2007 (referred to after this as "the MCAI"), to correct an unsafe