

PART 959—ONIONS GROWN IN SOUTH TEXAS

1. The authority citation for 7 CFR part 959 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. In § 959.322, paragraph (f)(3)(i) is redesignated as (f)(3) and revised to read as follows:

§ 959.322 Handling regulation.

* * * * *

(f) * * *

(3) *Peeling, chopping, and slicing.*

Upon approval of the committee, onions for peeling, chopping, and slicing may be shipped in bulk loads, bulk bins with inside dimensions of 47 inches × 37½ inches × 36 or 48 inches deep, and tote bags 36 inches by 36 inches by 66 inches long, with a weight capacity of approximately 2,000 pounds. A tolerance of 2 inches for each dimension shall be permitted. Such shipments shall be exempt from paragraph (c) of this section, but shall be handled in accordance with the requirements of paragraphs (a), (b), (d), and (g) of this section.

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Dated: February 10, 2000.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 00–3655 Filed 2–15–00; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF JUSTICE**Immigration and Naturalization Service****8 CFR Part 214**

[INS No. 2038–99]

RIN 1115–AF68

Adding Cleveland, Ohio, Ft. Myers, Florida, and San Jose, California to the List of Ports-of-Entry Accepting Applications for Direct Transit Without Visa

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service (Service) regulations by adding Cleveland, Ohio, Ft. Myers, Florida, and San Jose, California, to the list of ports-of-entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, an alien must make application for admission to the United States for direct transit without visa. This change is

necessary to accommodate the increase in international commerce serving Cleveland, Ohio, Ft. Myers, Florida, and San Jose, California.

DATES: This rule is effective February 16, 2000.

FOR FURTHER INFORMATION CONTACT:

Robert F. Hutnick, Assistant Chief Inspector, Immigration and Naturalization Service, 425 I Street, NW, Room 4064, Washington, DC 20536, telephone number (202) 616–7499.

SUPPLEMENTARY INFORMATION:**What Does This Final Rule Change?**

This final rule adds Cleveland, Ohio, Ft. Myers, Florida, and San Jose, California, to 8 CFR 214.2(c)(1) as ports-of-entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, application for direct transit without visa must be made.

Why Is the Service Making This Change?

The Cleveland Hopkins International Airport in Cleveland, Ohio, recently began daily nonstop service between Cleveland and the United Kingdom's London Gatwick Airport. Passengers wishing to travel between Canada and London via Cleveland will benefit from this rule change. The Southwest Florida International Airport in Ft. Myers, Florida, has added additional international passenger service, specifically arrivals transiting between the German Federal Republic and Mexico. In addition, the designation of the airport at San Jose, California, as a transit without visa port-of-entry will allow carriers to accept passengers transiting between the Far East and Latin America. By allowing these airports to accept applications for direct transit without visa, they will be able to accommodate these transit air passengers.

Administrative Procedures Act

Compliance with 5 U.S.C. 553(a)(2) as to notice of proposed rulemaking and delayed effective date is unnecessary as this rule relates to agency management, and accordingly, is not a “rule” as that term is used by the Congressional Review Act (Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)). Therefore the reporting requirement of 5 U.S.C. 801 does not apply.

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 this rule will not have a significant economic impact on a substantial number of small entities. This rule merely allows the Cleveland, Ohio, Ft. Myers, Florida, and San Jose, California, airports to accommodate individual international passengers by providing authority to carriers to accept applications for direct transit without visa.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, “Regulatory Planning and Review” section 1(b), Principles of Regulation. This rule falls within a category of actions that the Office of Management and Budget (OMB) has determined not to constitute “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this rule has not been reviewed by OMB.

Executive Order 13132

This 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 section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

List of Subjects in 8 CFR Part 214

Administrative practice and procedure, Aliens, Passports, and Visas.

Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 214—NONIMMIGRANT CLASSES

1. The authority citation for part 214 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282; 8 CFR part 2.

§ 214.2 [Amended]

2. In § 214.2, paragraph (c)(1) is amended in the fourth sentence by:

a. Adding “Cleveland, OH,” immediately after “Christiansted, VI,”

b. Adding “Ft. Myers, FL,” immediately after “Fairbanks, AK,” and by

c. Adding “San Jose, CA,” immediately after “San Francisco, CA,”.

Dated: February 4, 2000.

Doris Meissner,

Commissioner, Immigration and
Naturalization Service.

[FR Doc. 00-3584 Filed 2-15-00; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-CE-37-AD; Amendment 39-11577; AD 2000-03-18]

RIN 2120-AA64

Airworthiness Directives; Partenavia Costruzioni Aeronauticas S.p.A. Models AP68TP 300 "Spartacus" and AP68TP 600 "Viator" Airplanes

ACTION: Final rule.

SUMMARY: This document adopts a new airworthiness directive (AD) that applies to all Partenavia Costruzioni Aeronauticas S.p.A. (Partenavia) Models AP68TP 300 "Spartacus" and AP68TP 600 "Viator" airplanes that are equipped with pneumatic deicing boots. This AD requires you to revise the Airplane Flight Manual (AFM) to include requirements for activating the airframe pneumatic deicing boots. This AD is the result of reports of in-flight incidents and an accident that occurred in icing conditions where the airframe pneumatic deicing boots were not activated. The actions specified by this AD are intended to assure that flightcrews have the information necessary to activate the pneumatic wing and tail deicing boots at the first signs of ice accumulation. Without this information, flightcrews could experience reduced controllability of the aircraft due to adverse aerodynamic effects of ice adhering to the airplane prior to the first deicing cycle.

DATES: Effective April 7, 2000.

ADDRESSES: You may examine related information at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-37-AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. John P. Dow, Sr., Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4121; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Events Leading to the Issuance of This AD

What caused this AD? This AD is the result of reports of in-flight incidents and an accident that occurred in icing conditions where the airframe pneumatic deicing boots were not activated.

What is the potential impact if the FAA took no action? The information necessary to activate the pneumatic wing and tail deicing boots at the first signs of ice accumulation is critical for flight in icing conditions. If we did not take action to include this information, flight crews could experience reduced controllability of the aircraft due to adverse aerodynamic effects of ice adhering to the airplane prior to the first deicing cycle.

Has the FAA taken any action to this point? Yes. We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Partenavia Models AP68TP 300 "Spartacus" and AP68TP 600 "Viator" airplanes that are equipped with pneumatic deicing boots. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on October 8, 1999 (64 FR 54808). The NPRM proposed to require revising the Limitations Section of the AFM to include requirements for activating the pneumatic deicing boots at the first indication of ice accumulation on the airplane.

Was the public invited to comment? Yes. Interested persons were afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

What is the FAA's Final Determination on this Issue?: We carefully reviewed all available information related to the subject presented above and determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. We determined that these minor corrections:

- Will not change the meaning of the AD; and
- Will not add any additional burden upon the public than was already proposed.

Cost Impact

How many airplanes does this AD impact?: We estimate that 3 airplanes in the U.S. registry will be affected.

What is the cost impact of the affected airplanes on the U.S. Register?: There is no dollar cost impact. We estimate that

to accomplish the AFM revision it will take you less than 1 workhour. You can accomplish this action if you hold at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7). You must make an entry into the aircraft records that shows compliance with this AD, in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9). The only cost impact of this AD is the time it will take you to insert the information into the AFM.

Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA has prepared a final evaluation and placed it in the Rules Docket. You can get a copy of this evaluation at the location listed under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

2000-03-18—Partenavia Costruzioni Aeronautics S.P.A.:

Amendment 39-11577; Docket No. 99-CE-37-AD.