

Box 2415, Ag Box 0513, Washington, D.C., 20013, (202) 720-6304.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

#### Executive Order 12778

This interim rule has been reviewed in accordance with Executive Order 12778. The provisions of this rule are not retroactive and preempt State and local laws to the extent such laws are inconsistent with the provisions of this rule. Before any action may be brought in a Federal court of competent jurisdiction, the administrative appeal rights afforded program participants at 7 CFR part 780 must be exhausted.

#### Request for Comments

Comments are requested with respect to this interim rule and such comments shall be considered in developing the final rule.

#### Background

The current regulations in 7 CFR Part 704 and 7 CFR Part 1410 implemented the CRP, which is authorized by Title XII of the Food Security Act of 1985, as amended. Contracts due to expire on September 30, 1996, are subject to the regulations found in 7 CFR Part 704.

The intent of the CRP is to permit the CCC to enter into contracts with owners and operators of highly erodible and certain other cropland to assist such owners and operators in conserving and improving the Nation's soil and water resources and wildlife habitat. By entering into a contract, the owner or operator agreed to implement an approved conservation plan converting highly erodible cropland normally devoted to the production of an agricultural commodity to a conserving use and to a reduction in certain crop acreage bases, allotments, or quotas. CCC provides (1) funds to support technical assistance by way of a conservation plan, (2) financial assistance for the costs of establishing the conservation practices required by the conservation plan, and (3) annual land rental payments to compensate the owner or operator for taking the cropland out of production.

The Department has announced that options to extend expiring contracts will be announced before the early release signup period begins, so that participants will have all the information to make their CRP decisions.

#### Program Changes

The Secretary has determined that in order to enhance the commodity supply

situation for the 1996/97 marketing year, CRP participants with certain acreage due to expire from CRP on September 30, 1996, may release all or part of the acreage before the expiration date. This interim rule provides authority to permit these CRP participants the option of early termination with an effective date not to exceed September 30, 1996, on certain acreage under CRP contract in whole or in part, without penalty or obligation to refund previous payments issued under the contract, provided the acreage released, if highly erodible and if farmed, is farmed under an Alternative Conservation System as determined by the Natural Resources Conservation Service (NRCS). The conservation plan for such acreage will avoid measures more restrictive than those of an Alternative Conservation System. If the acreage is to be hayed or grazed, an approved haying or grazing plan for the acreage will be developed by NRCS. Under previous early release regulations, published as an interim rule on May 8, 1995, participants requesting early release of acreage to be farmed were required to obtain from NRCS and follow a more restrictive Basic Conservation System. Crop acreage bases, allotments, and quotas will be reinstated effective for the 1996 crop year.

CRP contract acreage which is not eligible for early termination under this rule includes acreage subject to contracts due to expire after September 30, 1996; acreage with an erodibility index (EI) greater than 15, as determined by NRCS; acreage within an average of 100 feet of a stream or other permanent waterbody; acreage on which a CRP easement is filed; and acreage on which there exist the following practices installed or developed as a result of participation in CRP: grass waterways, filter strips, shallow water areas for wildlife, bottomland timber established on wetlands, field windbreaks, and shelterbelts. Exclusion of these areas will contribute to continued prevention of soil erosion and protection of water quality and certain wildlife habitat.

Although CRP participants are not obligated to request early release from their contracts, all signatories to the CRP contract must agree to the release. Acreage released under this voluntary opportunity will not be eligible for subsequent reenrollment. Further, acreage that is not eligible for early release may not otherwise be removed from the contract.

Because CRP participants are making planting decisions and wish to carry out their plans as early as possible, it is necessary that this regulation be

effective upon publication. This action must be effective immediately to provide participants the opportunity to finalize their farming plans.

#### List of Subjects in 7 CFR Part 704

Administrative practices and procedures, Base protection, Conservation System, Contracts, Environmental indicators, Natural resources, and Technical assistance.

Accordingly, 7 CFR Part 704 is amended as follows:

### **PART 704—1986—1990 CONSERVATION RESERVE PROGRAM**

1. The authority citation for 7 CFR Part 704 continues to read as follows:

Authority: 15 U.S.C. 714b and 714c; 16 U.S.C. 3801–3847.

2. Section 704.2 is amended by redesignating paragraphs (a)(12) through (a)(24) as (a)(13) through (a)(25), respectively, and adding a new paragraph (a)(12) to read as follows:

#### **§ 704.2 Definitions.**

(a) \* \* \*

(12) *Erodibility index (EI)* means the factor calculated by the Natural Resources Conservation Service (NRCS) of the U.S. Department of Agriculture which is used to determine the inherent erodibility that a soil possesses without management by dividing the potential average annual rate of erosion for each soil by the predetermined soil loss tolerance (T) value for the soil;

3. In § 704.20, paragraph (a)(4) is amended by revising the first sentence and by adding a new sentence at the end of the paragraph to read as follows:

#### **§ 704.20 Contract modifications.**

(a) \* \* \*

(4) Terminate contracts scheduled to expire on September 30, 1996 prior to the expiration date with an effective date no later than September 30, 1996, provided the acreage released, if farmed, is farmed under a conservation system as determined by the Natural Resources Conservation Service (NRCS) or, if the acreage is to be hayed or grazed, an approved haying or grazing plan is developed by the NRCS. \* \* \* In addition, for any land for which an early release is sought, the land must have an EI of 15 or less.

Signed at Washington, DC, on March 11, 1996.

Bruce R. Weber,  
*Acting Administrator, Farm Service Agency.*  
[FR Doc. 96-6116 Filed 3-14-96; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 94-ANE-41; Amendment 39-9347; AD 95-17-16]

**Airworthiness Directives; General Electric Company CF6 Series Turbofan Engines**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a correction to Airworthiness Directive (AD) 95-17-16 applicable to General Electric Company (GE) CF6-80A series turbofan engines that was published in the Federal Register on August 20, 1995 (60 FR 46760). A compressor rear frame (CRF) part number (P/N) in the compliance section is incorrect. This document corrects that P/N. In all other respects, the original document remains the same.

**DATES:** Effective March 15, 1996.

**SUPPLEMENTARY INFORMATION:** A final rule airworthiness directive applicable to General Electric Company (GE) CF6-80A series turbofan engines, was published in the Federal Register on August 20, 1995 (60 FR 46760). The following correction is needed:

On page 46761, in the second column, in the Compliance Section, in paragraph (a), "7283M77G15" should read "9283M77G15." Issued in Burlington, MA, on February 14, 1996.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96-5853 Filed 3-14-96; 8:45 am]

BILLING CODE 4910-13-U

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****25 CFR Part 11**

RIN 1076-AD29

**Law and Order on Indian Reservations**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Agency's regulations governing Courts of Indian Offenses by removing from the Listing of Courts of Indian Offenses the names of those tribes which have exercised their inherent sovereignty and established tribal courts.

**EFFECTIVE DATE:** March 15, 1996.

**FOR FURTHER INFORMATION CONTACT:** Bettie Rushing, Bureau of Indian Affairs, 1849 C St., NW., Mail Stop 4140-MIB, Washington, DC 20240-4001, telephone number (202) 208-0437.

**SUPPLEMENTARY INFORMATION:** The authority to issue this amendment is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2 and 9, and 25 U.S.C. 13 which authorizes appropriations for "Indian judges."

The final rule amending the regulations contained in 25 CFR Part 11 which included the Shoshone and Arapahoe Tribes of the Wind River Reservation (Wyoming), Flandreau Santee Sioux (South Dakota), the Yankton Sioux Tribe (South Dakota), the Cocopah Tribe (Arizona), the Kaibab Band of Paiute Indians (Arizona), the Duckwater Shoshone Tribe (Nevada), and the Mississippi Band of Choctaw Indians (Mississippi) in the listing of tribes to which Section 11.100(a) is applicable, was published September 22, 1994.

The Assistant Secretary-Indian Affairs, or her designee, is in receipt of law and order codes adopted by the Arapahoe Tribes of the Wind River Reservation, the Flandreau Santee Sioux, the Yankton Sioux Tribe, the Cocopah Tribe, the Kaibab Band of Paiute Indians, the Duckwater Shoshone Tribe, and the Mississippi Band of Choctaw Indians in accordance with their constitutions and by-laws and approved by the appropriate Bureau official. The Assistant Secretary-Indian Affairs further recognizes that these courts were established in accordance with the tribes' constitutions and by-laws.

Inclusion in § 11.100, *Listing of Courts of Indian Offenses*, does not defeat the inherent sovereignty of a tribe to establish tribal courts and exercise jurisdiction under tribal law. *Tillett v. Lujan*, 931 F.2d 636, 640 (10th Cir. 1991) (C.F.R. courts "retain some characteristics of an agency of the federal government" but they "also function as tribal courts"); *Combrink v. Allen*, 20 Indian L. Rep. 6029, 6030 (Ct. Ind. App., Tonkawa, Mar. 5, 1993) (C.F.R. court is a "federally administered tribal court"); *Ponca Tribal Election Board v. Snake*, 17 Indian L. Rep. 6085, 6088 (Ct. Ind. App., Ponca, Nov. 10, 1988) ("The Courts of Indian Offenses act as tribal courts since they are exercising the sovereign authority of the tribe for which the court sits."). Such exercise of inherent sovereignty and the establishment of tribal courts shall comply with the requirements set forth in 25 CFR 11.100(c).

The Department has certified to the Office of Management and Budget that these final regulations meet the applicable standards provided in Sections 2(a) and 2(b)(2) of Executive Order 12778.

This document is not a significant rule under Executive Order 12866 and, therefore, will not require the approval of the Office of Management and Budget.

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

In accordance with E.O. 12630, the Department has determined that this rule does not have significant takings implications.

The Department has determined that this rule does not have significant federalism effects.

The Department of the Interior has determined that this correction does not constitute a major federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

This correction does not contain information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501 et seq.

The primary authors of this document are Earl Azure, Aberdeen Area Office, Terry Bruner, Anadarko Area Office, Mike Simpson, Billings Area Office, Karen Ketcher, Muskogee Area Office, Sharlot Johnson, Phoenix Area Office, and Bettie Rushing, Division of Tribal Government Services, Bureau of Indian Affairs, Department of the Interior.

List of Subjects in 25 CFR Part 11

Courts, Indians—law, Law enforcement, penalties.

For the reasons stated in the preamble, Part 11 of title 25 of the Code of the Federal Regulations is amended as follows:

**PART 11—LAW AND ORDER ON INDIAN RESERVATIONS**

1. The authority citation for part 11 continues to read as follows:

Authority: 5 U.S.C. 301; R.S. 463; 25 U.S.C. 2; R.S. 465; 25 U.S.C. 9; 42 Stat. 208; 25 U.S.C. 13; 38 Stat. 586; 25 U.S.C. 200.

\* \* \* \* \*

2. Section 11.100 is amended by revising paragraph (a) as follows: