

of the designated bona fide spot cotton markets to insure that each one continues to meet the criteria for designation. It was the expectation of USDA that the increased volume of purchases reported on the Augusta market would be supported by an accompanying increase in availability of information on actual transactions in the market.

Although the volume of reported purchases on the Augusta market increased after January 1981, the availability of additional price information on actual transactions failed to materialize. Furthermore, it has been determined that much of the increased volume of reported purchases is Texas grown cotton which is not representative of spot sales of Georgia or southeastern cotton.

The declining volume of locally-produced cotton being traded and the lack of actual sales information indicates that the Augusta market is, at best, only marginally qualified to continue as a bona fide spot cotton market and its value as a spot cotton market reporting point does not warrant its continuation especially within the constraints of a reduced Fiscal Year 1983 budget. In view of the above, it has been determined that the Augusta, Georgia spot market should no longer be designated as a bona fide spot market under the Cotton Futures Act.

#### List of Subjects in 7 CFR PART 27

Classification, Cotton, Micronaire, Samples.

#### PART 27—COTTON CLASSIFICATION UNDER COTTON FUTURES LEGISLATION

Accordingly, § 27.93 of the regulations (7 CFR 27.93) promulgated pursuant to the Cotton Futures Act is amended by removing the reference to Augusta, Georgia from the list of bona fide spot cotton markets as follows:

##### § 27.93 [Amended]

7 CFR 27.93 is amended by removing the words "Augusta, GA," from the list of bona fide spot markets.

(90 Stat. 1841-1848; 7 U.S.C. 15b)

Dated: January 8, 1983.

William T. Manley,  
Deputy Administrator, Marketing Program Operations.

[FR Doc. 83-4751 Filed 2-24-83; 8:45 am]

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#### 7 CFR Part 910

##### [Lemon Reg. 400]

#### Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

**SUMMARY:** This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period February 27-March 5, 1983. Such action is needed to provide for orderly marketing of fresh lemons for the period due to the marketing situation confronting the lemon industry.

**EFFECTIVE DATE:** February 27, 1983.

**FOR FURTHER INFORMATION CONTACT:** William J. Doyle, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

**SUPPLEMENTARY INFORMATION:** This final rule has been reviewed under Secretary's Memorandum 1512-1 and Executive Order 12291, and has been designated a "non-major" rule. William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the California-Arizona lemon crop for the benefit of producers, and will not substantially affect costs for the directly regulated handlers.

This final rule is issued under Marketing Order No. 910, as amended (7 CFR Part 910; 47 FR 50196), regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1982-83. The marketing policy was recommended by the committee following discussion at a public meeting on July 8, 1982. The committee met again publicly on February 22, 1983, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 559), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

#### List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, Lemons.

#### PART 910—[AMENDED]

Section 910.700 is added as follows:

##### § 910.700 Lemon regulation 400.

The quantity of lemons grown in California and Arizona which may be handled during the period February 27, 1983, through March 5, 1983, is established at 245,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: February 24, 1983.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 83-5092 Filed 2-24-83; 12:00 pm]

BILLING CODE 3410-02-M

#### DEPARTMENT OF JUSTICE

##### Immigration and Naturalization Service

#### 8 CFR Parts 1, 3, and 100

[Order No. 999-83]

##### Board of Immigration Appeals; Immigration Review Function; Editorial Amendments

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

**SUMMARY:** In order to improve the management, direction and control of the immigration judicial review programs currently within the Immigration and Naturalization Service (INS), the Attorney General has reorganized within the Department of

Justice so as to place the immigration review function with the Board of Immigration Appeals (BIA) under a newly created office entitled the Executive Office for Immigration Review (EOIR). The Executive Office for Immigration Review will be under the Associate Attorney General's supervision. This realignment will place similar quasi-judicial functions within a single organization and will result in a more effective and efficient operation of the Department's immigration judicial review programs.

**EFFECTIVE DATE:** February 15, 1983.

**FOR FURTHER INFORMATION CONTACT:** Kevin D. Rooney; Assistant Attorney General for Administration; U.S. Department of Justice; 10th and Constitution Avenue, N.W., Room 1111; Washington, D.C. 20530. Telephone: (202) 633-3101.

**SUPPLEMENTARY INFORMATION:** In accordance with the reorganization within the Department of Justice, 8 CFR is being amended to reflect the new functional statements of the Executive Office for Immigration Review, the Board of Immigration Appeals, and the Office of the Chief Special Inquiry Officer.

This order is not a rule within the meaning of either Executive Order 12291, Section 1(a), or the Regulatory Flexibility Act, 5 U.S.C. 601, et seq.

#### List of Subjects

##### 8 CFR Part 1

Administrative practice and procedure, Immigration.

##### 8 CFR Part 3

Administrative practice and procedure, Authority delegations (Government agencies), Immigration, Organization and function (Government agencies).

##### 8 CFR Part 100

Administrative practice and procedure, Aliens, Authority delegations (Government agencies), Harbors, Organizations and functions (Government agencies), Ports of entry.

By virtue of the authority vested in me, as Attorney General, by 28 U.S.C. 509, 510, 5 U.S.C. 301, and 8 U.S.C. 1103, Parts 1, 3, and 100 of Title 8 of the Code of Federal Regulations, are hereby amended as follows:

#### PART 1—[AMENDED]

1. Section 1.1 of Part 1 is amended by adding a new paragraph (n) to read as follows:

#### § 1.1 Definitions.

(n) The term "Executive Office" means Executive Office for Immigration Review.

2. Section 2.1 is revised to read as follows:

#### § 2.1 Authority of the Commissioner.

Without divesting the Attorney General of any of his powers, privileges, or duties under the immigration and naturalization laws, and except as to the Executive Office, the Board, the Office of the Chief Special Inquiry Officer, and Special Inquiry Officers, there is delegated to the Commissioner the authority of the Attorney General to direct the administration of the Service and to enforce the Act and all other laws relating to the immigration and naturalization of aliens. The Commissioner may issue regulations as deemed necessary or appropriate for the exercise of any authority delegated to him by the Attorney General, and may redelegate any such authority to any other officer or employee of the Service.

3. Part 3 is amended by:

a. Revising the heading of Part 3 to read as follows:

#### PART 3—EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

b. Adding a new § 3.0 to read as follows:

#### § 3.0 Executive Office for Immigration Review.

The Executive Office for Immigration Review shall be headed by a Director, who shall be responsible for the general supervision of the Board of Immigration Appeals and the Office of the Chief Special Inquiry Officer in the execution of their duties in accordance with 8 CFR Part 3. The Director may redelegate the authority delegated to him by the Attorney General to the Chairman of the Board of Immigration Appeals or the Chief Special Inquiry Officer. The Director shall be assisted in the performance of his duties by an Executive Assistant.

c. Designating §§ 3.1-3.8 as Subpart A and adding a heading for Subpart A as follows:

#### Subpart A—Board of Immigration Appeals.

d. Revising the heading of § 3.1 and revising paragraphs (a)(1) and (2), (c), (d)(2) and (3) and (g) to read as follows:

#### § 3.1 General authorities.

(a)(1) *Organization.* There shall be in the Department of Justice a Board of Immigration Appeals, subject to the

general supervision of the Director, Executive Office for Immigration Review. The Board shall exercise so much of the immigration and nationality laws as he may delegate to it. The Board shall consist of a Chairman and four other members. A vacancy, or the absence or unavailability of a Board Member, shall not impair the right of the remaining members to exercise all the powers of the Board, and three members of the Board shall, at all times, constitute a quorum of the Board. There shall also be attached to the Board such number of attorneys and other employees as the Associate Attorney General, upon recommendation of the Chairman, shall from time to time direct.

(2) *Chairman.* The Chairman shall direct, supervise, and establish internal operating procedures and policies of the Board. He shall designate a member of the Board to act as Chairman in his absence or unavailability. The Chairman shall be assisted in the performance of his duties by a Chief Attorney Examiner, who shall be directly responsible to the Chairman. The Chief Attorney Examiner shall serve as an Alternate Board Member when, in the absence or unavailability of a Board Member or Members, his participation is deemed necessary by the Chairman. Once designated, his participation in a case shall continue to its normal conclusion.

(c) *Jurisdiction by certification.* The Commissioner, or any other duly authorized officer of the Service, any Special Inquiry Officer, or the Board may in any case arising under paragraph (b) of this section require certification of such case to the Board.

(d) \* \* \*

(2) *Finality of decision.* The decision of the Board shall be final except in those cases reviewed by the Attorney General in accordance with paragraph (h) of this section. The Board may return a case to the Service or Special Inquiry Officer for such further action as may be appropriate, without entering a final decision on the merits of the case.

(3) *Rules of practice: discipline of attorneys and representatives.* The Board shall have authority, with the approval of the Director, EOIR, to prescribe rules governing proceedings before it. It shall also determine whether any organization desiring representation is of a kind described in § 1.1(j) of this chapter, and shall regulate the conduct of, and may disbar for cause, attorneys, representatives of organizations, and others who appear in a representative

capacity before the Board or the Service or any Special Inquiry Officer.

(g) *Decisions of the Board as precedents.* Except as they may be modified or overruled by the Board or the Attorney General, decisions of the Board shall be binding on all officers and employees of the Service or Special Inquiry Officers in the administration of the Act, and selected decisions designated by the Board shall serve as precedents in all proceedings involving the same issue or issues.

e. Revising paragraph (c) of § 3.3 to read as follows:

**§ 3.3 Notice of appeal.**

(c) *Briefs.* Briefs in support of or in opposition to an appeal shall be filed in triplicate with the officer of the Service having administrative jurisdiction over the case within the time fixed for appeal or within any other additional period designated by the Special Inquiry Officer or Service Officer who made the decision. Such Special Inquiry Officer or the Board for good cause may extend the time for filing a brief or reply brief. The Board in its discretion may authorize the filing of briefs directly with it, in which event the opposing party shall be allowed a specified time to respond.

f. Revising paragraph (b) of § 3.8 to read as follows:

**§ 3.8 Motion to reopen or motion to reconsider.**

(b) *Distribution of motion papers when alien is moving party.* In any case in which a motion to reopen or a motion to reconsider is made by the alien or other party affected, the three copies of the motion papers shall be submitted to the officer of the Service having administrative jurisdiction over the place where the proceedings were conducted. Such officer shall retain one copy, forward one copy to the officer of the Service or Special Inquiry Officer who made the initial decision in the case, and submit the third copy with the case to the Board.

g. Adding a Subpart B as set forth below:

**Subpart B—Office of the Chief Special Inquiry Officer**

**§ 3.9 Chief Special Inquiry Officer.**

The Chief Special Inquiry Officer shall be responsible for the general supervision, direction and scheduling of the Special Inquiry Officers in the

conduct of the various programs assigned to them. This shall include:

(a) Establishment of operational policies;

(b) Evaluation of the performance of Special Inquiry Officer offices, making appropriate reports and inspections and taking corrective action where indicated.

**§ 3.10 Special Inquiry Officers.**

Special Inquiry Officers shall exercise the powers and duties in this chapter regarding the conduct of exclusion and deportation hearings and such other proceedings which the Attorney General may assign them to conduct.

**PART 100—[AMENDED]**

4. Part 100 is amended by revising paragraph (a) of § 100.2 to read as follows:

**§ 100.2 Organization and delegations.**

(a) The Attorney General has delegated to the Commissioner, the principal officer of the Immigration and Naturalization Service, authority to direct the administration of the Service and enforce the Act and all other laws relating to immigration and naturalization, except the authority delegated to the Executive Office for Immigration Review, the Board of Immigration Appeals, the Office of the Chief Special Inquiry Officer, or Special Inquiry Officers. The Deputy Commissioner is authorized to exercise all power and authority of the Commissioner unless any such power or authority is required to be exercised by the Commissioner personally or has been exclusively delegated to another immigration official or class of immigration officer. Subject to the general supervision of the Commissioner and the direction of the Deputy Commissioner, the Associate Commissioners have responsibility for Service program development, coordination, evaluation and counseling relating to Service policy and recommendations within their program areas of activity and general direction of the Assistant Commissioners with technical responsibility for each of the program areas as follows: The Associate Commissioner, Examinations, the Adjudications, Inspections, and Citizenship and Naturalization programs and general direction of the Assistant Commissioners for Adjudications, Inspections, and Naturalization; the Associate Commissioner, Enforcement, the Border Patrol, Investigations, and Detention and Deportation programs and general direction of the Assistant Commissioners for Border Patrol, Investigations, and Detention and

Deportation; the Associate Commissioner, Management, the Administrative, Records and Information, and Personnel programs and general direction of the Assistant Commissioners for Administration, Information Services, and Personnel. The Assistant Commissioners have responsibility for the planning, coordinating, evaluating, and technical counseling relating to their program areas as follows: The Assistant Commissioner for Adjudications, the Adjudicative programs; the Assistant Commissioner for Inspections, the Inspection Programs; the Assistant Commissioner for Naturalization, the Citizenship and Naturalization programs; the Assistant Commissioner for Border Patrol, the Border Patrol programs; the Assistant Commissioner for Investigations, the Investigations programs; the Assistant Commissioner for Detention and Deportation, Detention and Deportation programs; the Assistant Commissioner for Administration, the Administrative programs; the Assistant Commissioner for Information Services, the Records Administration and Information, Statistics, and Automated Data Processing programs; the Assistant Commissioner for Personnel, the Personnel programs.

(28 U.S.C. 509, 510; 5 U.S.C. 301; 8 U.S.C. 1103)

Dated: February 15, 1983.

William French Smith,  
Attorney General.

[FR Doc. 83-4736 Filed 2-24-83; 8:45 am]

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**FEDERAL HOME LOAN BANK BOARD**

**12 CFR Part 531**

**FSLIC-Guaranteed Advances; Loans to the Federal Savings and Loan Insurance Corporation**

Dated: February 18, 1983.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

**SUMMARY:** As the first step in implementing sections 352 and 125 of the Garn-St Germain Depository Institutions Act of 1982, the Federal Home Loan Bank Board has adopted a policy statement that (1) directs the Federal Home Loan Banks ("Banks") to include in their credit policies a category of advances secured by a written guarantee of repayment from the Federal Savings and Loan Insurance Corporation ("FSLIC") and (2)