

**Regulatory Flexibility Act**

The Attorney General, 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 would not have a significant economic impact on a substantial number of small entities because of the following factors: The rule would address the grant of immigration benefits to certain individuals based on a marriage. It would also clarify restrictions placed on future acquisition of certain immigration benefits by individuals whose conditional permanent resident status has been terminated. It would not have a significant economic effect, nor would it affect small entities.

**Executive Order 12866**

This rule is not considered by the Department of Justice 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 12612**

The regulations proposed herein would 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.

**Paperwork Reduction Act**

The information collection requirement contained in this rule has been cleared by the Office of Management and Budget under the provisions of the Paperwork Reduction Act. The clearance number for this collection is contained in 8 CFR 299.5, Display of control numbers.

**List of Subjects in 8 CFR Part 245**

Aliens, Immigration, Reporting and recordkeeping requirements.

Accordingly, part 145 of chapter I of title 8 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE**

1. The authority citation for part 145 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1255, and 8 CFR part 2.

**§ 245.1 [Amended]**

2. In § 245.1 paragraph (c)(3) is amended by removing the word "and" at the end of the paragraph.

3. In § 245.1, paragraph (c)(4) is amended by removing the "." at the end of the paragraph and replacing it with a ";".

4. In § 245.1, paragraph (c)(7) is amended by removing the "." at the end of the paragraph, and replacing it with a "; and".

5. In § 245.1, paragraphs (c)(5) and (c)(6) are revised to read as follows:

**§ 245.1 Eligibility.**

\* \* \* \* \*

(c) \* \* \*

(5) Any alien who has been lawfully admitted for permanent residence on a conditional basis under section 216 or 216A of the Act, regardless of any other quota or nonquota immigrant visa classification for which the alien may otherwise be eligible, and regardless of whether the alien's conditional status has been terminated pursuant to sections 216 or 216A of the Act;

(6) Any alien admitted to the United States as a nonimmigrant alien fiancé(e) under section 101(a)(15)(K) of the act, unless:

(i) The alien is seeking to adjust status under section 245(a) of the Act to that of an alien lawfully admitted to the United States for permanent residence on a conditional basis under section 216 of the Act;

(ii) The alien is seeking adjustment based on the marriage (or, in the case of a minor child, the marriage of the alien parent) to the United States citizen whose approved petition pursuant to § 214.2(k) of this chapter was the basis for issuance of the alien's nonimmigrant visa under section 101(a)(15)(K) of the Act;

(iii) The alien is seeking to adjust status within 24 months of the date of the marriage; and

(iv) The marriage was solemnized:

(A) Within 90 days of the entry of the alien fiancé(e) into the United States; or

(B) More than 90 days after the entry of the alien fiancé(e) into the United States if the alien spouse or child applies for and is otherwise eligible for adjustment of status as an immediate relative on the basis of an approved Form I-130, Petition for Alien Relative, filed by the citizen whose approved petition pursuant to § 214.2(k) of this chapter was the basis for issuance of the alien's nonimmigrant visa under section 101(a)(15)(K) of the Act;

\* \* \* \* \*

Dated: August 13, 1996.

Janet Reno,

Attorney General.

[FR Doc. 96-21196 Filed 8-19-96; 8:45 am]

BILLING CODE 4410-10-M

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 51 and 52**

[AD-FRL-5557-6]

RIN 2060-AE11

**Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of public meetings.

**SUMMARY:** Notice is hereby given of a change in the date of the public hearing regarding EPA's proposed rulemaking, known as the NSR Reform Rulemaking, published on July 23, 1996 at 61 FR 38249. That rulemaking proposes to revise regulations for the approval and promulgation of implementation plans and the requirements for preparation, adoption, and submittal of implementation plans governing the NSR programs mandated by parts C and D of title I of the Clean Air Act. The date of the hearing is being changed from September 23 to September 16, 1996. This notice also announces a meeting on the day following the public hearing of the NSR Reform Subcommittee (Subcommittee) (58 FR 36407) of the Clean Air Act Federal Advisory Committee (55 FR, No. 217, 46993), which will also be open to the public. The Subcommittee's purpose is to provide independent advice and counsel to the EPA on policy and technical issues associated with reforming the NSR rules. Today's announcement does not change the October 21, 1996 deadline for receiving written public comments on the proposed rulemaking.

**DATES:** *Public Hearing.* The public hearing has been rescheduled for September 16, 1996 from 10:00 a.m. to 4:30 p.m. The hearing may be canceled if no requests to speak have been received 15 days prior to this rescheduled hearing date.

*Subcommittee Meeting.* A meeting of the Subcommittee is scheduled for September 17, 1996 from 8:30 a.m. to 4:00 p.m.

**ADDRESSES:** *Public Hearing.* The public hearing will be held at the Sheraton Imperial Hotel & Convention Center,

Imperial Center, Research Triangle Park, North Carolina, telephone (919) 941-5050.

**Subcommittee Meeting.** The Subcommittee meeting will be held at the Sheraton Imperial Hotel & Convention Center, Imperial Center, Research Triangle Park, North Carolina [(919) 941-5050].

**GENERAL INFORMATION: Public Hearing.** Seating will be available for approximately 60 persons on a first-come, first-served basis. Persons wishing to make oral presentations at the public hearing should contact EPA as indicated below in the **FOR FURTHER INFORMATION CONTACT** section. The order of presentation will be based on the order in which EPA receives requests to speak. Written statements in lieu of, or in addition to, oral testimony are encouraged and may be any length. Individuals will be given an opportunity to register for an opportunity to speak, as time allows, beginning at 9:00 a.m. on the day of the public hearing. If necessary, oral presentations will be time limited.

**Subcommittee Meeting.** Although open to the public; general seating will be available for approximately 60 persons (in addition to that allocated for the Subcommittee) on a first-come, first-served basis. There will be a limited opportunity for public remarks at the Subcommittee meeting and any member of the public may submit a written statement for consideration by the Subcommittee. To ensure that written public statements are provided to the Subcommittee prior to the scheduled meeting they should be mailed to David Solomon, the Designated Federal Official for this FACA subcommittee, at the Information Transfer and Program Integration Division (MD-12), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, North Carolina 27711.

**FOR FURTHER INFORMATION CONTACT:** Dennis Crumpler, Information Transfer and Program Integration Division (MD-12), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, North Carolina 27711, telephone (919) 541-0871, telefax (919) 541-5509. Persons wishing to make oral presentations at the public hearing, or seeking further information, should contact Cynthia Baines at (919) 541-5319, telefax (919) 541-5509.

**SUPPLEMENTARY INFORMATION:** On July 23, 1996 at 61 FR 38249, the EPA proposed substantial changes to the major NSR program, a preconstruction permitting program required by the Clean Air Act, that regulates the construction and modification of major

stationary sources of air pollution. In that document the EPA announced that the public hearing for the proposed rulemaking would be held in the Research Triangle Park, North Carolina, on September 23, 1996—the date 60 days from the date of publication of the Federal Register notice of proposed rulemaking.

In the same document, EPA indicated that it planned to convene a meeting of the NSR Subcommittee in conjunction with the public comment period to review the proposed rulemaking, but no date or location for that meeting was announced at the time of publication. Subsequent to the publication date of the proposed rulemaking, EPA concluded that (1) it would be desirable to hold the public hearing and the Subcommittee meeting in sequence because many participants would be interested in attending both sessions; and (2) due to other scheduling conflicts, the Subcommittee meeting could not be held on September 24, 1996—the day following the original date of the public hearing.

It was determined that most feasible dates for scheduling both meetings jointly would be September 16 and 17, 1996. Consequently, EPA has decided to reschedule the date of the public hearing so that the two sessions could be scheduled in sequence in order to reduce the burden of duplicative travel-related activities for interested participants. By holding the comment period open the EPA intends to provide an opportunity for the submission of rebuttal and supplementary information relative to comments and questions raised in either the public hearing or Subcommittee meeting.

The tentative Subcommittee meeting agenda is to review the proposed NSR Reform revisions by topic area as follows:

8:30–10:30 a.m.—NSR applicability criteria  
10:30–12:00—noon—NSR technology requirements  
12:00–1:00 p.m.—Lunch  
1:00–2:00 p.m.—Class I protection requirements  
2:00–3:00 p.m.—Miscellaneous reforms  
3:00–4:00 p.m.—1990 Clean Air Act Implementing Revisions  
4:00 p.m.—Adjourn

Time for breaks and public response will be incorporated. An agenda will be provided at the meeting.

**INSPECTION OF DOCUMENTS:** Documents related to the NSR Reform Rulemaking, are available for public inspection in EPA Air Docket No. A-90-37. Transcripts of the public hearing and Subcommittee meeting will also be

available for public inspection in the same docket. The docket is available for public inspection and copying between 8:30 a.m. to 12 noon and 1:30 to 3:30 p.m., weekdays, at EPA's Air Docket (6102), Room M-1500, 401 M Street, SW., Washington, DC 20460. A reasonable fee may be charged for copying.

Approximately 3–4 weeks after the public hearing and Subcommittee meeting, a transcript of each meeting will also be available to the public through the Office of Air Quality Planning and Standards Technology Transfer Network (the TTN). Access to the TTN, via a computer and communications software, may be obtained by dialing (919) 541-5742. For assistance in accessing the TTN, contact the TTN Help Desk at (919) 541-5384 in Research Triangle Park, North Carolina, 1:00 p.m. to 5:00 p.m. eastern standard time.

Dated: August 15, 1996.

John S. Seitz,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 96-21281 Filed 8-19-96; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Chapter I

[CC Docket No. 96-115; FCC 96-329]

#### Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information; Use of Data Regarding Alarm Monitoring Service Providers

**AGENCY:** Federal Communications Commission.

**ACTION:** Termination of rulemaking.

**SUMMARY:** On May 17, 1996, the Commission released a Notice of Proposed Rulemaking (NPRM) regarding certain customer information provisions in the Telecommunications Act of 1996 (1996 Act). In addition to addressing the customer proprietary network information (CPNI) and subscriber list information provisions set out in the 1996 Act, the NPRM also sought comment regarding how to implement the restrictions on use of alarm monitoring data established by new Section 275(d) of the Communications Act of 1934, as amended. Section 275(d) directed the Commission to issue any regulations necessary to enforce its provisions within six months after