

**DEPARTMENT OF JUSTICE****Immigration and Naturalization Service****8 CFR Part 208**

[INS No. 1865-97; AG No. 2164-98]

RIN 1115-AE93

**Executive Office for Immigration Review; New Rules Regarding Procedures for Asylum and Withholding of Removal**

**AGENCY:** Immigration and Naturalization Service, Executive Office for Immigration Review, Justice.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** On June 11, 1998, at 63 FR 31945, the Immigration and Naturalization Service and the Executive Office for Immigration Review proposed amendments to the Department of Justice regulations governing asylum and withholding of removal. The amendments are intended to establish new guidelines regarding cases where the applicant has established past persecution or where the applicant may be able to avoid persecution in his or her home country by relocating to another area of that country. The proposed rule also provides further clarification regarding the exercise of discretion by the Attorney General in cases where past persecution is established and about the considerations relevant to whether an applicant has a well-founded fear of future persecution. The proposed rule makes similar changes to regulations governing withholding of deportation. The rule also identifies new factors that may be considered in the exercise of discretion in asylum cases where the applicant has established past persecution but may not have a well-founded fear of future persecution. The rule further provides that the asylum and withholding standards require a showing that a risk of harm exists throughout the country in question. This notice changes the deadline for submitting public comments from July 13, 1998, to September 11, 1998.

**DATES:** Written comments must be submitted on or before September 11, 1998.

**ADDRESSES:** Please submit written comments, in triplicate, to the Director, Policy Directives and Instructions Branch, Immigration and Naturalization

Service, 425 I Street, NW., Room 5307, Washington, DC 20536. To ensure proper handling, please reference INS number 1865-97 on your correspondence. Comments are available for public inspection at the above-noted address by calling (202) 514-3048 to arrange an appointment.

**FOR FURTHER INFORMATION CONTACT:**

Christine Davidson, Senior Policy Analyst, Asylum Division, Immigration and Naturalization Service, 425 I Street, NW, Washington DC 20536, Attn. ULLICO Bldg, 3rd Floor, telephone (202) 305-2663; Margaret M. Philbin, General Counsel, Executive Office for Immigration Review, Suite 2400, 5107 Leesburg Pike, Falls Church, Virginia 22041, telephone (703) 305-0470.

Dated: July 27, 1998.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 98-20666 Filed 8-3-98; 8:45 am]

**BILLING CODE 4410-10-M**

**EXPORT-IMPORT BANK OF THE UNITED STATES****12 CFR Part 404****Comprehensive Revision of Export-Import Bank of the United States Freedom of Information Act, Privacy Act, and Other Information Disclosure Regulations and Implementation of Electronic Freedom of Information Act Amendments of 1996**

**AGENCY:** Export-Import Bank of the United States.

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** This document sets forth one proposed section that was not included in the Export-Import Bank's original proposed rule, published on December 4, 1997 (62 FR 64177). This section will notify interested parties that disclosures of information in connection with program development, asset disposition, debt collection, and risk reduction efforts may take place when the Ex-Im Bank President determines that disclosure is needed to support the Bank's promotion of policy and programmatic objectives and that disclosure in such limited circumstances will not subject the submitter of the information to commercial harm.

**DATES:** Submit comments on or before September 3, 1998.

**ADDRESSES:** Address all comments concerning this proposed rule to Howard A. Schweitzer, Counsel for Administration, Export-Import Bank of the United States, 811 Vermont Avenue, NW, Room 951, Washington, DC 20571.

**FOR FURTHER INFORMATION CONTACT:**

Howard A. Schweitzer, (202) 565-3229.

**SUPPLEMENTARY INFORMATION:** The Export-Import Bank of the U.S. ("Ex-Im Bank" or "the Bank") is proposing the following amendment under the authority of the Export-Import Bank Act of 1945, 12 U.S.C. 635. The purpose of the proposed amendment is to ensure that necessary disclosures of information in connection with developing Bank programs are consistent with relevant law and regulation. The following proposed section provides for disclosure of such information only when the disclosure is necessary to support the Bank's promotion of policy and programmatic objectives and only if Ex-Im Bank's President determines that the disclosure will not subject the submitter of the information to commercial harm.

The determinations concerning the Regulatory Flexibility Act, Executive Order 12866, the Unfunded Mandates Reform Act, and the Small Business Enforcement Fairness Act of 1996 that Ex-Im Bank made in connection with publication of the original proposed rule apply to this supplemental notice of proposed rulemaking.

**List of Subjects in 12 CFR Part 404**

Administrative practice and procedure, Confidential business information, Freedom of information, Privacy.

For the reasons stated in the preamble, Ex-Im Bank proposes to amend 12 CFR chapter IV as follows:

**PART 404—INFORMATION DISCLOSURE**

1. The authority citation for part 404 is revised to read as follows:

**Authority:** 5 U.S.C. 552 and 552a. Section 404.7 also issued under E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235. Section 404.21 also issued under 5 U.S.C. 552a note. Section 404.70 issued under 12 U.S.C. 635.

2. Part 404, as proposed to be revised at 62 FR 64178, is further amended by adding and reserving subparts C and D and adding subpart E to read as follows:

**Subpart C—[Reserved]****Subpart D—[Reserved]****Subpart E—Miscellaneous Information Disclosure Provisions**

Sec.

404.70 Asset disposition, program development, and risk reduction efforts.

**Subpart C—[Reserved]****Subpart D—[Reserved]****Subpart E—Miscellaneous Information Disclosure Provisions****§ 404.70 Asset disposition, program development, and risk reduction efforts.**

(a) *Purpose and scope.* The purpose of this section is to provide for disclosure, only in the context of program development, asset disposition, debt collection, and risk reduction efforts, of confidential commercial or financial information when such disclosure is needed to facilitate the Bank's support of the export of goods and services. Ex-Im Bank shall disclose such information only to persons, as defined in § 404.2, who require access to such information to perform their intended services on behalf of the Bank.

(b) *Disclosure of information.* Ex-Im Bank may, in connection with program development, asset disposition, debt collection, and risk reduction efforts, disclose information described in 5 U.S.C. 552(b)(4) that is provided to Ex-Im Bank in connection with applications for financial support or related transactions, when the Ex-Im Bank President determines that disclosure is needed to support the Bank's promotion of policy and programmatic objectives and that disclosure in such limited circumstances will not subject the submitter of the information to commercial harm. Ex-Im Bank does not waive its right to withhold information, in response to a FOIA request, that has been or could be disclosed pursuant to this section if Ex-Im Bank determines that such disclosure could subject the submitter of the information to commercial harm.

(c) *Protections.* Whenever possible, Ex-Im Bank shall enter into confidentiality agreements intended to protect the confidentiality of any commercial or financial information disclosed pursuant to this section.

Dated: July 30, 1998.

**Kenneth W. Hansen,**  
General Counsel.

[FR Doc. 98-20802 Filed 8-3-98; 8:45 am]

BILLING CODE 6690-01-M

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

[Docket No. 98-NM-197-AD]

RIN 2120-AA64

**Airworthiness Directives; McDonnell Douglas Model DC-10 Series Airplanes and KC-10 (Military) Airplanes**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC-10 series airplanes and KC-10 (military) airplanes. This proposal would require repetitive inspections to detect fatigue cracking of the rear spar cap of the horizontal stabilizer; and repair, if necessary. The proposed AD also would require a preventive modification of the rear spar cap of the horizontal stabilizer, which would constitute terminating action for the repetitive inspections. This proposal is prompted by reports of fatigue cracking of the rear spar cap of the horizontal stabilizer. The actions specified by the proposed AD are intended to prevent fatigue cracking of the rear spar cap of the horizontal stabilizer, which could result in reduced structural integrity of the horizontal stabilizer, and consequent reduced controllability of the airplane.

**DATES:** Comments must be received by September 18, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-197-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft

Certification Office, 3960 Paramount Boulevard, Lakewood, California.

**FOR FURTHER INFORMATION CONTACT:** Ron Atmur, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5224; fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 98-NM-197-AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-197-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

**Discussion**

The FAA has received reports indicating that, on several in-service McDonnell Douglas Model DC-10 series airplanes, cracking has been discovered on the vertical leg of the rear spar cap of the horizontal stabilizer, near the junction of the operating bulkhead. The cracking originated in the counterbore transition area. The affected airplanes had accumulated more than 46,000 total flight hours and 19,134 total landings.