

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 100

[INS No. 1949–98]

RIN 1115–AF18

#### Jurisdictional Change for the Los Angeles and San Francisco Asylum Offices

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Proposed rule

**SUMMARY:** This rule proposes to amend the Immigration and Naturalization Service (Service) regulations to transfer asylum office jurisdiction over the State of Hawaii and the Territory of Guam from the San Francisco Asylum Office to the Los Angeles Asylum Office. The Los Angeles Asylum office would have jurisdiction over the states of Arizona, southern portion of California, Hawaii, the southern portion of Nevada currently within the jurisdiction of the Las Vegas Suboffice, and the Territory of Guam. The intended effect of this regulation is to reallocate Service resources and improve processing efficiency for the Los Angeles and San Francisco Asylum Offices given the greater number of asylum officers stationed in Los Angeles.

**DATES:** Written comments must be submitted on or before February 7, 2000.

**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 No. 1949–98 on your correspondence. Comments are available for public inspection at the above address by calling (202) 514–3048 to arrange for an appointment.

**FOR FURTHER INFORMATION CONTACT:** Christine Davidson, Supervisory Asylum Officer, or Marta Rothwarf, Asylum Officer, Office of International

Affairs, Asylum Division, Immigration and Naturalization Service, 425 I Street NW, Washington, DC 20536, Attn: ULLICO Bldg., Third Floor; Telephone (202) 305–2663.

#### SUPPLEMENTARY INFORMATION:

#### Why Is Jurisdiction Being Transferred to the Los Angeles Asylum Office?

The regulation at 8 CFR 100.4(f)(7) gives the San Francisco Asylum Office jurisdiction over asylum applications filed by individuals residing in the State of Hawaii and the Territory of Guam. Transferring jurisdiction over the State of Hawaii and the Territory of Guam to the Los Angeles Asylum Office under 8 CFR 100.4(f)(8) will enable the Service to better allocate its resources and improve processing efficiency based on the availability of asylum officers in the Los Angeles Asylum Office.

#### How Will This Change Affect Submission of Claims for Those Applicants Living in Hawaii and the Territory of Guam?

Currently, individuals residing in the State of Hawaii and the Territory of Guam must submit the Form I–589, Application for Asylum and Withholding of Removal, to the Nebraska Service Center. After the jurisdiction change becomes effective, individuals residing in the State of Hawaii and the Territory of Guam must submit the Form I–589 to the California Service Center. The Service will notify the public of this change in submission requirements through a separate notice published in the **Federal Register** and through an attachment to the Form I–589 sent out by the INS Forms Centers. The Service will continue to conduct asylum interviews in the State of Hawaii and the Territory of Guam; however, asylum officers from the Los Angeles Asylum Office will conduct the interviews rather than officers from the San Francisco Asylum Office.

#### What Will Happen to Applications Filed With the Nebraska Service Center Before the Change in Jurisdiction Becomes Effective?

Before the jurisdiction change becomes effective asylum applications are submitted to the Nebraska Service Center. Accepted applications are receipted, entered into the Service computer systems, and a file is created. These files are sent to the San Francisco Asylum Office where the case is

scheduled for an interview and asylum officers are sent out to Guam and Hawaii to conduct asylum interviews. Applicants are notified of the decision by mail.

#### What Will Happen to Those Applications Filed With the Nebraska Service Center After the Change in Jurisdiction Becomes Effective?

After the jurisdiction change becomes effective, the Nebraska Service Center will continue to accept asylum applications filed by applicants residing in the State of Hawaii and the Territory of Guam for 30 days after the effective date of this rule. Pending cases will be transferred to the Los Angeles Asylum Office for interview scheduling and interviews. Applications received 31 days after the effective date of this rule will be rejected due to the tight statutory and regulatory time constraints governing the adjudication of asylum applications. Rejected applications will contain a notice explaining that asylum applications must be resubmitted to the California Service Center. Rejected applications are not considered filed for work authorization purposes or for interview scheduling until they are properly resubmitted to the California Service Center.

#### 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. The factual basis for this determination is that this rule is administrative in nature and merely transfers jurisdiction for processing asylum applications. This rule applies to individuals submitting applications and does not affect small entities as that term is defined in 5 U.S.C. 601(6).

#### Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments in the aggregate, or by the private sector, of \$100 million or more in any 1 year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions

of the Unfunded Mandates Reform Act of 1995.

#### Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

#### Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, 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

This rule 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 Executive Order 12612, it is determined that this rule does not have sufficient Federalism implications to warrant preparation of a Federalism Assessment.

#### Executive Order 12988 Civil Justice Reform

This rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

#### List of Subjects in 8 CFR Part 100

Organization of functions (Government agencies).

Accordingly, part 100 of chapter I of Title 8 of the Code of Federal Regulations is proposed to be amended as follows:

#### PART 100—STATEMENT OF ORGANIZATION

1. The authority citation for part 100 continues to read as follows:

**Authority:** 8 U.S.C. 1103; 8 CFR part 2.

2. In § 100.4, paragraphs (f)(7) and (f)(8) are revised to read as follows:

#### § 100.4 Field Offices.

\* \* \* \* \*

(f) \* \* \*

(7) *Los Angeles, California.* The Asylum Office in Los Angeles has jurisdiction over the States of Arizona, the southern portion of California as listed in § 100.4(b)(16) and § 100.4(b)(39), Hawaii, the southern portion of Nevada currently within the jurisdiction of the Las Vegas Suboffice, and the Territory of Guam.

(8) *San Francisco, California.* The Asylum Office in San Francisco has jurisdiction over the northern part of California as listed in § 100.4(b)(13), the portion of Nevada currently under the jurisdiction of the Reno Suboffice, and the States of Alaska, Oregon, and Washington.

Dated: November 24, 1999.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 99-31693 Filed 12-7-99; 8:45 am]

**BILLING CODE 4410-10-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-64-AD]

#### Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters

**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 Bell Helicopter Textron Canada (BHTC) Model 407 helicopters. This proposal would require replacing a certain hydraulic relief valve (valve) with a different valve. This proposal is prompted by the discovery of a manufacturing defect in a valve. The actions specified by the proposed AD are intended to prevent intermittent loss of hydraulic pressure to the flight controls and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before February 7, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-64-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas. 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 Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec JON1LO, telephone (800) 463-3036, fax (514) 433-0272. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, Room 663, Fort Worth, Texas.

#### FOR FURTHER INFORMATION CONTACT:

Robert McCallister, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0170, telephone (817) 222-5121, fax (817) 222-5961.

#### 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 should 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 No. 98-SW-64-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, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-64-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### Discussion

Transport Canada, which is the airworthiness authority for Canada, has