

have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Executive Order 12606

The Commissioner of Immigration and Naturalization Service certifies that she has assessed this rule in light of the criteria in Executive Order 12606 and has determined that this regulation will not have an impact on family well-being.

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 103

Administrative practices and procedures, Authority delegations (Government agencies), Freedom of Information, Privacy, Reporting and recordkeeping requirements, Surety bonds, Fees, Forms.

Accordingly, the interim rule amending 8 CFR part 103 which was published in the **Federal Register** on May 27, 1993 at 58 FR 30698-30699 is adopted as a final rule without change.

Dated: February 9, 1995.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

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8 CFR Part 299

[INS No. 1651N-95]

RIN 1115-AD64

Form I-589; Request for Asylum and Withholding of Deportation in the United States: Establishment of Compliance Date

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service's (Service) regulations by updating the listing of forms currently in use by the Service to reflect the current edition date (November 16, 1994) and title of the Form I-589, Application for Asylum and for Withholding of Deportation. This update is necessary to ensure that only the current edition of the Form I-589 listed in the regulations is used. Applications submitted on prior

versions of the Form I-589 will not be accepted after March 24, 1995.

DATES: This rule is effective February 22, 1995. Applications submitted on the prior versions of the Form I-589 will not be accepted after March 24, 1995.

FOR FURTHER INFORMATION CONTACT: Christine Davidson, Senior Policy Analyst, Office of International Affairs, Immigration and Naturalization Service, 425 "I" Street NW., Washington, DC 20536, Attn: ULLICO, Third Floor, Telephone: (202) 633-4389.

SUPPLEMENTARY INFORMATION: On November 4, 1994, a notice of revision of the Form I-589 was published in the **Federal Register** at 59 FR 55289. On November 28, 1994, the revised Form I-589 was approved by the Office of Management and Budget (OMB) for use by the Service under the provisions of the Paperwork Reduction Act. This rule amends 8 CFR 299.1 by updating the entry for the Form I-589 to reflect the current title and edition date (November 16, 1994).

The Form I-589 must be submitted when an individual who is present in the United States applies for asylum and for withholding of deportation. Applications submitted using a prior version of the November 16, 1994, Form I-589 will no longer be accepted after March 24, 1995, and the application will be returned by the Service. After March 24, 1995, the 150-day period after which the applicant may file an application for employment authorization in accordance with the regulations will not commence if the applicant submits a version of Form I-589 with a revision date prior to November 16, 1994.

The deadline for use of the prior version of the Form I-589 is, in the view of the INS, a rule of agency procedure or practice. Therefore, it is not subject to the notice and comment requirements of 5 U.S.C. § 553. The INS publishes this rule of procedure or practice in the **Federal Register** for the guidance of the public as required by 5 U.S.C. § 552.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with 5 U.S.C. 605(b), has reviewed this regulation and by approving it certifies that this rule does not have a significant economic impact on a substantial number of small entities. This rule is primarily administrative in nature and merely updates the existing forms listings currently contained in Title 8 of the Code of Federal Regulations.

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

The regulation proposed herein 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 the preparation of a Federalism Assessment.

Executive Order 12606

The Commissioner of the Immigration and Naturalization Service certifies that she has assessed this rule in light of the criteria in Executive Order 12606 and has determined that this regulation will not have an impact on family well-being.

List of Subjects in 8 CFR Part 299

Immigration, Reporting and recordkeeping requirements.

Accordingly, part 299 of chapter I of title 8 of the Code of Federal Regulations, is amended as follows:

PART 299—IMMIGRATION FORMS

1. The authority citation for part 299 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103; 8 CFR part 2.

2. Section 299.1 is amended by revising the entry for "Form I-589" to read as follows:

§ 299.1 Prescribed forms.

* * * * *
I-589 11-16-94 Application for
Asylum and for Withholding of
Deportation
* * * * *

Dated: February 14, 1995.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

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