

**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.*

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**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: