

Corporation and The Santa Cruz Operation, Inc. have filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provision limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are International Business Machines Corporation, Armonk, NY; and The Santa Cruz Operation, Inc., Santa Cruz, CA. The nature and objectives of the venture are to cooperatively develop and enhance UNIX operating systems designed to operate on the 32-bit and 64-bit Intel architecture platforms to enable innovative new open systems computer technologies and products more rapidly and efficiently than either party could achieve independently. Each party may market such jointly developed products.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Motorola/Jabil Circuits

Notice is hereby given that, on March 30, 1999, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Motorola, Inc. has filed written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Auburn University, Auburn, AL; Jabil Circuit, Inc., San Jose, CA; Loctite Corporation, Rocky Hill, CT; and Motorola, Inc., Schaumburg, IL. The nature and objectives of the venture are to engage in a collaborative effort of limited duration to gain further knowledge and understanding of, and develop new materials and technology for, integrated-circuit fabrication facilities using conventional surface mount technology to handle new "direct

chip attach" components, enabling more efficient production of these high performance devices.

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 1998-99]

RIN 1115-AF50

#### Advance Notice of Expansion of Expedited Removal to Certain Criminal Aliens Held in Federal, State, and Local Jails

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

**ACTION:** Advance notice with request for comments.

**SUMMARY:** This notice advises the public that the Immigration and Naturalization Service (Service) intends to apply the expedited removal provision of section 235(b)(1) of the Immigration and Nationality Act (Act) on a pilot basis to certain criminal aliens being held in three correctional facilities in the State of Texas. This action will not become effective until the Service evaluates and addresses public comments and informs the public by notice in the **Federal Register** when the expedited removal provisions will be implemented. This pilot program will last for a period of 180 days, and will be followed with an evaluation of the program. The Service believes that implementing the expedited removal provisions to person who have been found by a Federal judge to be guilty of illegal entry and are serving short criminal sentences will result in removal of those criminal aliens faster than can be achieved under ordinary removal proceedings. This will ensure prompt immigration determinations in those cases and consequently will save Service detention space and immigration judge and trial attorney resources, while at the same time protecting the rights of the individuals affected.

**DATES:** Comments must be submitted on or before November 22, 1999.

**ADDRESSES:** Please submit written comments, **original and two copies**, 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. 1998-99 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:

Isabelle Chewning, Detention and Deportation Officer, Immigration and Naturalization Service, 801 I Street NW, Suite 800, Washington, DC 20536, telephone (202) 616-7797, or Melinda Clark, Detention and Deportation Officer, Immigration and Naturalization Service, 425 I Street NW, Room 3214, Washington, DC 20536, telephone (202) 514-1986.

#### SUPPLEMENTARY INFORMATION:

#### What is the expedited removal program?

Under section 235(b)(1) of the Immigration and Nationality Act (Act), as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), certain aliens who are inadmissible to the United States under sections 212(a) (6) (C) or 212(a) (7) of the Act are not entitled to a formal removal hearing before an immigration judge under section 240 of the Act. Instead, these aliens are subject to an expedited removal order issued by an immigration officer. Sections 212(a) (6) (C) and 212(a) (7) are the grounds of inadmissibility which cover aliens who seek or have sought to procure a visa, other documentation, or admission to the United States or other benefits under the Act by fraud or misrepresentation or who arrive without proper entry documents.

On March 6, 1997, the Department of Justice issued implementing regulations which apply the expedited removal provisions of section 235(b)(1) of the Act to certain aliens arriving in the United States on or after April 1, 1997. (See 62 FR 10312).

#### To whom Will the Section 235(b) (1) Expedited Removal Provisions Be Applied?

Section 235(b) (1) (A) (iii) of the Act permits the Attorney General, in her sole and unreviewable discretion, to designate certain other aliens to whom the expedited removal provisions may be applied even though they are not arriving in the United States. Specifically, the Attorney General may apply the expedited removal provisions to any or all aliens who have not been admitted or paroled into the United States and who have been physically present for less than 2 years prior to the date of the determination of inadmissibility. By publication of this notice, the Attorney General is exercising her discretionary authority to apply the provisions of the expedited removal to certain alien who: