

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Parts 272 and 273

RIN 0584-AC39

#### Food Stamp Program: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; Delay of Effective Date

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** The final rule, "The Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996," was published on January 17, 2001 at FR 66 4438. The rule finalizes the proposed rule of the same name which was published December 17, 1999. It implements 13 provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The original effective date of the rule (with the exception of one amendment) was April 2, 2001. In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, the effective date of the rule was delayed for 60 days to June 1, 2001, via an action published in the **Federal Register** on February 5, 2001 at 66 FR 8886. The Under Secretary of the Food, Nutrition, and Consumer Services and has just recently been confirmed and has not yet been sworn-in. In order to give the new Under Secretary time to review the rule, this action delays the effective date of the final rule (with the exception of one amendment) an additional 60 days to July 31, 2001.

In addition, the State agencies were required to implement the final rule no later than August 1, 2001. Because the rule will not be effective now until July 31, 2001, this action establishes a new implementation date of October 1, 2001.

**DATES:** The effective date of the Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, published in the **Federal Register**, on January 17, 2001, at 66 FR 4438, is delayed for an additional 60 days, from June 1, 2001 to a new effective date of July 31, 2001, except for the amendment to 7 CFR 272.2(d)(1)(xiii) which retains the effective date of August 1, 2001. The implementation date of the final rule is delayed for 60 days from August 1, 2001, to a new implementation date of October 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Patrick Waldron, Chief, Certification Policy Branch, Program Development Division, Food and Nutrition Service, USDA, 3101 Park Center Drive, Alexandria, Virginia, 22302, (703) 305-2495.

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C. section 553 applies to this section, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the Department's implementation of this rule without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this rule effective immediately upon publication.

Dated: May 29, 2001.

**George A. Braley,**  
*Acting Administrator, Food and Nutrition Service.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Parts 100, 103, 236, 245a, 274a and 299

[INS No. 2115-01; AG Order No. 2430-2001]

RIN 1115-AG06

#### Adjustment of Status Under Legal Immigration Family Equity (LIFE) Act Legalization Provisions and LIFE Act Amendments Family Unity Provisions

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

**ACTION:** Interim rule with request for comments.

**SUMMARY:** This interim rule implements section 1104 of the Legal Immigration Family Equity Act (LIFE Act) and the LIFE Act Amendments by establishing procedures for certain class action participants to become lawful permanent residents of this country. Persons who may be eligible to adjust under section 1104 of the LIFE Act and its Amendments are aliens who have filed for class membership with the Attorney General, before October 1, 2000, in one of three legalization lawsuits: (1) *Catholic Social Services, Inc. v. Meese*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993) (CSS); (2) *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993) (LULAC); or (3) *Zambrano v. INS*, vacated, 509 U.S. 918 (1993) (*Zambrano*).

This interim rule also implements section 1504 of the LIFE Act Amendments by providing for a stay of removal and work authorization for certain spouses and unmarried children of those aliens eligible to adjust under section 1104 of the LIFE Act.

This rule is necessary to ensure that those aliens eligible to apply for benefits under the provisions of the LIFE Act and LIFE Act Amendments are able to do so in a timely manner.