

preempt State and local laws to the extent such State and local laws are inconsistent herewith. The administrative appeal provisions published at 7 CFR part 11 must be exhausted before any action for judicial review of any determination made by FCIC may be brought.

Environmental Evaluation

This action is not expected to have a significant economic impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Background

The 1998 Research Act, enacted June 23, 1998, amended the Act to require FCIC to establish procedures under which FCIC will provide a final agency determination in response to an inquiry regarding the interpretation of any provision of the Act or any regulation promulgated thereunder. Since these procedures are required by statute, it is impractical and contrary to the public interest to publish this rule for notice and comment prior to making the rule effective. However, comments are solicited for 60 days after the date of publication in the **Federal Register** and will be considered by FCIC before this rule is made final.

List of Subjects in 7 CFR Part 400

Administrative practice and procedure

Interim Rule

Accordingly, as set forth in the preamble, the Federal Crop Insurance Corporation hereby adds a new subpart X to 7 CFR part 400 to read as follows:

PART 400—GENERAL ADMINISTRATIVE REGULATIONS

Subpart X—Interpretations of Statutory and Regulatory Provisions

Sec.

- 400.765 Basis and applicability.
- 400.766 Definitions.
- 400.767 Requester obligations.
- 400.768 FCIC obligations.

Authority: 7 U.S.C. 1506(l), 1506(p).

Subpart X—Interpretations of Statutory and Regulatory Provisions

§ 400.765 Basis and applicability.

(a) The regulations contained in this subpart prescribe the rules and criteria for obtaining a final agency determination of the interpretation of any provision of the Act or the regulations promulgated thereunder.

(b) This subpart is applicable to all regulations that were in effect for the 1995 and subsequent crop years.

(c) All final agency determinations issued by FCIC, and published in accordance with § 400.768(f), will be binding on all participants in the Federal crop insurance program.

§ 400.766 Definitions.

Act. The Federal Crop Insurance Act, 7 U.S.C. 1501 *et seq.*

FCIC. The Federal Crop Insurance Corporation, a wholly owned government corporation within the United States Department of Agriculture.

Participant. Any applicant for crop insurance, a producer with a valid crop insurance policy, or a private insurance company with a reinsurance agreement with FCIC or their agents, loss adjusters, employees or contractors.

Regulations. All provisions contained in 7 CFR chapter IV.

§ 400.767 Requester obligations.

(a) All requests for a final agency determination under this subpart must:

(1) Be submitted, in writing by certified mail to the Associate Administrator, Risk Management Agency, United States Department of Agriculture, Stop Code 0801, 1400 Independence Avenue, SW, Washington, DC 20250-0801, facsimile at (202) 690-5879 or by electronic mail at RMA533@wdc.fsa.usda.gov;

(2) State that it is being submitted under section 506(s) of the Act;

(3) Identify and quote the specific provision in the Act or regulations for which a final agency determination is requested;

(4) State the crop year for which the interpretation is sought;

(5) State the name, address, and telephone number of a contact person affiliated with the request; and

(6) Contain the requester's detailed interpretation of the regulation.

(b) The requestor must advise FCIC if the request for a final agency determination will be used in a lawsuit or the settlement of a claim.

(c) Each request for final agency determination under this subpart must contain no more than one request for an agency interpretation.

§ 400.768 FCIC obligations.

(a) FCIC will not interpret any specific factual situation or case, such as actions of any participant under the terms of a policy or any reinsurance agreement.

(b) If, in the sole judgement of FCIC, the request is unclear, ambiguous, or incomplete, FCIC will not provide an interpretation, but will notify the

requester that the request is unclear, ambiguous or incomplete, within 30 days of such request.

(c) FCIC will provide a final determination of the interpretation to a request that meets all the conditions stated herein to the requester in writing, and at FCIC's discretion in the format in which it was received, within 90 days of the date of receipt by FCIC.

(d) If a requestor is notified that a request is unclear, ambiguous or incomplete under section 400.768(b), the time to respond will be tolled from the date FCIC notifies the requestor until the date that FCIC receives a clear, complete, and unambiguous request.

(e) If a response is not provided within 90 days, the requestor may assume the interpretation provided is correct for the applicable crop year.

(f) All agency final determinations will be published by FCIC as specially numbered documents on the RMA Internet website.

(g) All final agency determinations are considered matters of general applicability that are not appealable to the National Appeals Division. Before obtaining judicial review of any final agency determination, the person must obtain an administratively final determination from the Director of the National Appeals division on the issue of whether the final agency determination is a matter of general applicability.

Signed in Washington, D.C., on December 15, 1998.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 98-33746 Filed 12-16-98; 4:19 pm]

BILLING CODE 3410-08-P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Parts 100, 101, 103, 204, 210, 211, 216, 245, 247, 264, 299, 316, 338, and 341

[INS No. 1896-97]

RIN 1115-AF01

Changing the Name of the Alien Registration Receipt Card to the Permanent Resident Card (Form I-551)

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service (Service) regulations by revising the name of the Form I-551 from "Alien

Registration Receipt Card” to “Permanent Resident Card.” Although known officially as the “Alien Registration receipt Card,” Form I-551 identifies the permanent resident status of the cardholder and is often referred to as the “Permanent Resident Card.” Renaming the card the “Permanent Resident Card” allows the Service to officially adopt the more accurate and convenient usage. To facilitate the name change, this final rule allows the Service to continue using both valid versions of the Form I-551 (titled “Alien Registration Receipt Card”) while using and referring to the new generation of the Form I-551, the “Permanent Resident Card.” This is a change in name only and will not alter any policy or procedures.

DATES: This final rule is effective January 20, 1999.

FOR FURTHER INFORMATION CONTACT: Michael Valverde, Program Analyst, Adjudications Division, Residence and Status, Immigration and Naturalization Service, Room 3214, 425 I Street, NW., Washington, DC 20536, telephone (202) 514-2763.

SUPPLEMENTARY INFORMATION:

Background

On September 1, 1997, the Service began using the integrated Card production System (ICPS) to produce the Permanent Resident Card, previously known as the Alien Registration Receipt Card (ARC). As a result, there now are two acceptable Forms I-551 with different titles currently in use. Both of these forms with different titles will remain valid until the ARC cards expire or are replaced.

Why Change the Name?

The Service renamed the card for convenience and usage. The Service issues the Form I-551 card as evidence of the holding of status as a permanent resident by a qualified noncitizen. Although the Form I-551 is known officially as the “Alien Registration Receipt Card,” it also is referred to as the “Permanent Resident Card.” The Service renamed the card to conform to this more accurate usage.

How Will the 8 CFR be Changed?

This rule amends the 8 CFR by revising the term “Alien Registration Receipt Card” to read “Permanent Resident Card” where appropriate. This rule does not affect or invalidate currently valid versions of the Form I-551, nor does it make any changes in the application procedure for a new card. Until the ARCs are replaced or expire,

the term “Permanent Resident Card” will also mean “Alien Registration Receipt Card.”

What is the Service’s Justification for Publishing This as a Final Rule?

The Service’s implementation of this rule as a final rule is based upon the “good cause” exceptions found at 5 U.S.C. 553(b)(A), (B) and (d)(3). The reason for this determination is that this rule pertains to an agency practice and does not affect either the application or adjudication procedures. It is administrative in nature and only changes the name of the Form I-551.

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 the rule will not have a significant economic impact on a substantial number of small entities because this rule only changes the name of Form I-551 from “Alien Registration Receipt Card” to “Permanent Resident Card.” Current cardholders do not need to replace their card with the new Form I-551 until their card expires. Moreover, all currently valid Form I-551 versions will continue to satisfy the requirement for a document under list “A” of the Employment Verification Eligibility Worksheet (Form I-9). This rule does not affect small entities as that term is defined in 5 U.S.C. 601(6).

Unfunded Mandates Reform Act of 1995

This final 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 one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

The final rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness 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 12988 Civil Justice Reform

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

Executive Order 12612

This regulation will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of powers 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.

List of Subjects

8 CFR Part 100

Organization of functions (government agencies).

8 CFR Part 101

Immigration.

8 CFR Part 103

Administrative practice and procedure, Authority delegations (government agencies), Freedom of information, Privacy, Reporting and recordkeeping requirements, Surety bonds.

8 CFR Part 204

Administrative practice and procedure, Immigration, Reporting and recordkeeping requirements.

8 CFR Part 210

Aliens, Migrant labor, Reporting and recordkeeping requirements.

8 CFR Part 211

Immigration, Passports, and visas, Reporting and recordkeeping requirements.

8 CFR Part 216

Administrative practice and procedure, Aliens.

8 CFR Part 245

Aliens, Immigration, Reporting and recordkeeping requirements.

8 CFR Part 247

Administrative practice and procedure, Aliens, Immigration, Reporting and recordkeeping requirements.

8 CFR Part 264

Reporting and recordkeeping requirements.

8 CFR Part 299

Immigration, Reporting and recordkeeping requirements.

8 CFR Part 316

Citizenship and naturalization, Reporting and recordkeeping requirements.

8 CFR Part 338

Citizenship and naturalization, Reporting and recordkeeping requirements.

8 CFR Part 341

Citizenship and naturalization, Reporting and recordkeeping requirements.

Accordingly, chapter I of title 8 of the Code of Federal Regulations is 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.

§ 100.4 [Amended]

2. In § 100.4, paragraph (c)(2) introductory text is amended in the fifth sentence by revising the phrase “alien registration receipt cards” to read “Permanent Resident Cards”.

PART 101—PRESUMPTION OF LAWFUL ADMISSION

3. The authority citation for part 101 continues to read as follows:

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

§ 101.4 [Amended]

4. Section 101.4 is amended by revising the phrase “an Alien Registration Receipt Card” to read “a Permanent Resident Card”.

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

5. The authority citation for part 103 continues to read as follows:

Authority: 5 U.S.C. 552, 552a; 8 U.S.C. 1101, 1103, 1201, 1252 note, 1252b, 1304, 1356, 31 U.S.C. 9701; E.O. 12356, 47 FR 14874, 15557, 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

§ 103.2 [Amended]

6. In § 103.2, paragraph (b)(17) is amended in the second sentence by revising the phrase “Alien Registration Receipt Cards” to read “Permanent Resident Cards”.

§ 103.21 [Amended]

7. In § 103.21, paragraph (b)(1) is amended by revising the phrase “alien registration receipt card” to read “Permanent Resident Card”.

PART 204—IMMIGRANT PETITIONS

8. The authority citation for part 204 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1186a, 1255; 8 CFR part 2.

§ 204.1 [Amended]

9. In § 204.1, paragraph (g)(1)(vii) is amended in the first sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

PART 210—SPECIAL AGRICULTURAL WORKERS

10. The authority citation for part 210 continues to read as follows:

Authority: 8 U.S.C. 1103, 1160, 8 CFR part 2.

§ 210.1 [Amended]

11. In § 210.1, paragraph (b) is amended in the last sentence by revising the phrase “Form I-551 Alien Registration Receipt Card” to read “Form I-551, Permanent Resident Card”.

§ 210.5 [Amended]

12. In § 210.5, paragraph (b)(1) is amended in the first sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

13. The authority citation for part 211 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1181, 1182, 1203, 1225, 1227; 8 CFR part 2.

§ 211.1 [Amended]

14. In § 211.1, paragraph (a)(2) is amended by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

15. In § 211.1, paragraph (a)(5) is amended by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

16. In § 211.1, paragraph (b)(3) is amended in the second sentence by

revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

§ 211.5 [Amended]

17. In § 211.5, paragraph (c) is amended in the last sentence by revising the phrase “alien registration receipt card” to read “Permanent Resident Card”.

PART 216—CONDITIONAL BASIS OF LAWFUL PERMANENT RESIDENCE STATUS

18. The authority citation for part 216 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1154, 1184, 1186a, 1186b, and 8 CFR part 2.

§ 216.4 [Amended]

19. In § 216.4, paragraph (d)(1) is amended by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card” wherever it appears in this paragraph.

20. In § 216.4, paragraph (d)(2) is amended in the third sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

§ 216.5 [Amended]

21. In § 216.5, paragraph (f) is amended in the second sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

§ 216.6 [Amended]

22. In § 216.6, paragraph (d)(1) is amended by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card” whenever it appears in this paragraph.

23. In § 216.6, paragraph (d)(2) is amended in the third sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

24. The authority citation for part 245 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1255; 8 CFR part 2.

§ 245.2 [Amended]

25. In § 245.2, paragraph (b) is amended in the second sentence by revising the phrase “Alien Registration Receipt Card” to read “Permanent Resident Card”.

PART 247—ADJUSTMENT OF STATUS OF CERTAIN RESIDENT ALIENS

26. The authority citation for part 247 is revised to read as follows:

Authority: 8 U.S.C. 1101, 1103, and 1257.

§ 247.14 [Amended]

27. Section 247.14 is amended by revising the phrase "alien-registration receipt card" to read "Permanent Resident Card".

PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

28. The authority citation for part 264 continues to read as follows:

Authority: 8 U.S.C. 1103, 1201, 2101a, 1301–1305.

§ 264.1 [Amended]

29. In § 264.1(b), the entry for the Form I-551 is amended by revising the

phrase "Alien Registration Receipt Card" to read "Permanent Resident Card".

§ 264.5 [Amended]

30. The heading for § 264.5 is amended by revising the phrase "Alien Registration Card" to read "Permanent Resident Card".

31. In § 264.5, paragraph (b) is amended in the introductory text by revising the phrase "alien registration card" to read "Permanent Resident Card".

32. In § 264.5, paragraph (c)(2) is amended by revising the phrase "alien registration card" to read "Permanent Resident Card".

33. In § 264.5, paragraph (e)(1)(ii) is amended by revising the phrase "Alien

Registration Receipt Card" to read "Permanent Resident Card".

34. In § 264.5, paragraph (g) is amended in the last sentence by revising the phrase "alien registration card" to read "Permanent Resident Card".

PART 299—IMMIGRATION FORMS

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

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

36. Section 299.1 is amended in the table by revising the entry for the Form "I-551" to read as follows:

§ 299.1 Prescribed forms.

* * * * *

Form No.	Edition date	Title
I-551	05-01-97	Permanent Resident Card.

PART 316—GENERAL REQUIREMENTS FOR NATURALIZATION

37. The authority citation for part 316 continues to read as follows:

Authority: 8 U.S.C. 1103, 1181, 1182, 1443, 1447; 8 CFR part 2.

§ 316.4 [Amended]

38. In § 316.4, paragraph (a)(2) is amended by revising the phrase "(Alien Registration Receipt Card)" to read "(Permanent Resident Card)".

PART 338—CERTIFICATE OF NATURALIZATION

39. The authority citation for part 338 continues to read as follows:

Authority: 8 U.S.C. 1103, 1443.

§ 338.3 [Amended]

40. Section 338.3 is amended in the first sentence by revising the phrase "alien registration receipt card" to read "Permanent Resident Card".

PART 341—CERTIFICATES OF CITIZENSHIP

41. The authority citation for part 341 continues to read as follows:

Authority: 66 Stat. 173, 238, 254, 264, as amended; 8 U.S.C. 1103, 1409(c), 1443, 1444, 1448, 1452, 1455; 8 CFR part 2.

§ 341.4 [Amended]

42. Section 341.4 is amended by revising the phrase "alien registration receipt cards in his possession" to read "permanent resident cards in his or her possession".

Dated: August 7, 1998.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 98-33667 Filed 12-18-98; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-NM-59-AD; Amendment 39-10954; AD 98-26-13]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that requires a one-time inspection to determine the material type of the stop support fittings of the main entry doors. This AD also requires repetitive visual inspections to detect cracks of certain stop support fittings of the main entry doors, and replacement of any cracked stop support fitting with a certain new stop support fitting. This amendment is prompted by reports that stress corrosion cracking was found on certain stop support fittings of the main entry doors. The actions specified by this AD are intended to detect and

correct such stress corrosion cracking, which could lead to failure of the stop support fittings. Failure of the stop support fittings could result in loss of a main entry door and consequent rapid decompression of the airplane.

DATES: Effective January 25, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 25, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Bob Breneman, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2776; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 747 series airplanes was published in the **Federal Register** on March 20, 1998 (63 FR 13566). That action proposed to require a one-time