

e. In paragraph III.C.8.1., under the heading "Method", the word "granular" is removed.

**Subpart—Imported Fire Ant**

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**Appendix to Subpart "Imported Fire Ant"—Portion of "Imported Fire Ant Program Manual" <sup>8</sup>**

III. Regulatory Procedures  
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C. Approved Treatments.

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8. Grass—Sod

Material

Chlorpyrifos.

Material	Amount and dosage of material	Certification period
Chlorpyrifos .....	4.0 lb (1.8 kg) a.i./acre .....	4 weeks (after exposure period has been completed).
Chlorpyrifos .....	6.0 lb (2.7 kg) a.i./acre .....	10 weeks (after exposure period has been completed).

Exposure Period: 48 hours.

\* \* \* \* \*

Done in Washington, DC, this 17th day of May, 1999.

**Craig A. Reed,**

Administrator, Animal and Plant Health Inspection Service.

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**DEPARTMENT OF JUSTICE**

**Immigration and Naturalization Service**

**8 CFR Part 207**

[INS No. 1999-99]

RIN 1115-AF49

**Application for Refugee Status; Acceptable Sponsorship Agreement and Guaranty of Transportation**

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

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

**SUMMARY:** Section 207 of the Immigration and Nationality Act (Act) authorizes the Attorney General to admit refugees to the United States under certain conditions, including those provided for by regulation. The Immigration and Naturalization Service (Service) regulations require that sponsorship agreements be secured before an applicant is granted admission as a refugee at a U.S. port-of-entry (POE). The determination of whether or not someone is classified as a refugee is described in the Act as a separate decision from whether a refugee may be admitted to the United States in refugee status. This rule amends the Service regulations by removing language that erroneously implies that the Service requires a sponsorship agreement and guaranty of transportation prior to determining whether an applicant is a refugee. This rule is necessary to clarify issues that may appear ambiguous in the

existing regulation, and provides more advantageous treatment for the limited number of applicants for refugee status who have their Service interviews before sponsorship agreements have been secured.

**DATES: Effective date:** This interim rule is effective May 21, 1999.

**Comment date:** Written comments must be submitted on or before July 20, 1999.

**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 1999-99 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:** Kathleen Thompson, Office of International Affairs, Immigration and Naturalization Service, 425 I Street, NW, Washington, DC 20536, Telephone (202) 305-2662.

**SUPPLEMENTARY INFORMATION:** Section 207 of the Act authorizes the Attorney General to admit refugees to the United States under certain conditions. By regulation, sponsorship is required before a refugee can be admitted to the United States. Sponsorship ensures refugees who are admitted to the United States transportation, housing, and assistance in this country. Sponsorship is a requirement separate and apart from the determination that an applicant is classified as a refugee. The current regulations at 8 CFR 207.2(d), states that: "[t]he application for refugee status will not be approved until the Service receives an acceptable sponsorship agreement and guaranty of transportation in [sic] behalf of the applicant."

This sentence may inappropriately imply that there is a requirement to

have secured sponsorship in advance of a determination to be classified as a refugee, which is not the case. The Service has never required the sponsorship assurance before determining whether an applicant meets the definition of refugee under section 101(a)(42) of the Act.

All refugees seeking admission to the United States must satisfy the statutory and regulatory requirements before the Service can admit them to the United States. For example, a refugee must have a sponsor at the time he or she appears at a U.S. POE with an approved Form I-590, Registration for Classification as Refugee, in order to be admitted as a refugee. If the required sponsorship has not been secured or the required medical screening has not been completed, and the refugee arrives at a U.S. POE, the immigration inspector cannot admit the refugee.

**Good Cause Exception**

This interim rule is effective upon date of publication in the **Federal Register**, although the Service invites post-promulgation comments within a 60-day comment period and will address any such comments in a final rule. For the following reasons, the Service finds that good cause exists under 5 U.S.C. 553(b)(B) and (d)(3) for implementing this rule as an interim rule without the prior notice and comment period ordinarily required under this provision. This rule simply clarifies issues that may appear ambiguous in the existing regulation, and provides more advantageous treatment for the limited number of applicants for refugee status who have their Service interviews before sponsorship agreements have been secured. Early implementation will be advantageous to the intended beneficiaries of this rule. Therefore, it is unnecessary and contrary to the public

<sup>8</sup> A copy of the entire "Imported Fire Ant Program Manual" may be obtained from the Animal and

Plant Health Inspection Service, Plant Protection and Quarantine, Domestic and Emergency

Operations, 4700 River Road Unit 134, Riverdale, Maryland 20737-1236.

interest to delay the implementation of this rule until after a notice and comment period.

#### Regulatory Flexibility Act

The Commissioner, 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 will not have a significant economic impact on a substantial number of small entities because of the following factors: This rule clarifies the difference between refugee classification and refugee status. It also clarifies the timing and significance of those determinations. This change will not affect small entities.

#### Unfunded Mandates Reform Act of 1995

This 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 1 year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement 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. Accordingly, the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

#### Executive Order 12612

The regulation adopted 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 12988 Civil Justice Reform

This interim rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988.

#### List of Subjects in 8 CFR Part 207

Immigration, Refugees, Reporting and recordkeeping requirements.

Accordingly, part 207 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

#### PART 207—ADMISSION OF REFUGEES

1. The authority citation for part 207 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103, 1151, 1157, 1158, 1159, 1182; 8 CFR part 2.

#### § 207.2 [Amended]

2. In § 207.2, paragraph (d) is amended by removing the last sentence.

Dated: May 11, 1999.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 99-12840 Filed 5-20-99; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-CE-96-AD; Amendment 39-11176; AD 99-11-06]

RIN 2120-AA64

#### Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggio P-180 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Industrie Aeronautiche e Meccaniche (I.A.M.) Model Piaggio P-180 airplanes. This AD requires inspecting both (left and right wing configurations) environmental control system bleed tubes for damage, leakage, and a correct gap between the tube and wing lower panel crossing area, inspecting the wiring and surrounding structures for damage, and correcting any discrepancies found. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for

Italy. The actions specified by this AD are intended to prevent thermal expansion from causing leakage of an environmental control system bleed tube because of improper installation, which could result in deterioration of the electrical wiring and the surrounding structure.

**DATES:** Effective July 5, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 5, 1999.

**ADDRESSES:** Service information that applies to this AD may be obtained from I.A.M. Rinaldo Piaggio S.p.A., Via Cibrario, 4 16154 Genoa, Italy. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-96-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. David O. Keenan, Project Officer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6941; facsimile: (816) 426-2169.

#### SUPPLEMENTARY INFORMATION:

#### Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all I.A.M. Model Piaggio P-180 airplanes was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on February 18, 1999 (64 FR 8020). The NPRM proposed to require inspecting both (left and right wing configurations) environmental control system bleed tubes for damage (dents), leakage, and a correct gap between the tube and wing lower panel crossing area. If any environmental control system bleed tube is found damaged beyond certain limits or an incorrect gap between the tube and wing lower panel crossing area is found, the NPRM proposed to require replacing the bleed tube and rotating the bleed tube to match the necessary gap, as applicable. The NPRM also proposed to require inspecting the wiring and surrounding structures for damage if any leakage is found, and repairing any damaged wiring or surrounding structures.

Accomplishment of the proposed action as specified in the NPRM would be required in accordance with Piaggio Service Bulletin (Mandatory) No.: SB-