

### Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### List of Subjects in 7 CFR Part 301

Agricultural commodities, Incorporation by reference, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 7 CFR part 301 as follows:

### PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for part 301 continues to read as follows:

**Authority:** 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

2. In § 301.75–4, paragraph (a) is revised to read as follows:

#### § 301.75–4 Quarantined areas.

(a) The following States or portions of States are designated as quarantined areas:

#### FLORIDA

*Collier County.* Beginning at the intersection of SR 29 and SR 858; then north along SR 29 approximately 3.5 miles to the north section line of sec. 32, T. 47, R. 30; then east along the north section lines of secs. 32, 33, 34, 35, and 36, T. 47, R. 30, to the northeast corner of sec. 36, T. 47, R. 30; then south along the east section line of sec. 36, T. 47, R. 30, and secs. 1, 12, 13, 24, and 25, T. 48, R. 30, approximately 6 miles to the southeast corner of sec. 25, T. 48, R. 30; then west along the south section line of secs. 25, 26, 27, 28, and 29, T. 48, R. 30, approximately 4.5 miles to SR 29; then north along SR 29 approximately 2.5 miles to the point of beginning.

*Dade and Broward Counties.* Beginning at the mouth of the Miami River in Biscayne Bay; then north along Biscayne Bay to Bal Harbor; then east along the inlet at Bal Harbor to the Atlantic Ocean; then north along the shoreline of the Atlantic Ocean to the Port Everglades Channel in Broward County; then west and south through the Port Everglades Channel to where it meets Eller Drive; then west on Eller Drive to I–595; then west on I–595 to I–75; then south on I–75 to the Florida Turnpike Homestead Extension; then south on the Florida Turnpike Homestead Extension to NW 58th Street; then west along NW 58th Street to Krome Avenue (NW 177th Avenue); then south along Krome Avenue (NW and SW 177th Avenue) to Coral Reef

Drive (SW 152nd Street); then east along Coral Reef Drive to Biscayne Bay; then north along the shoreline of Biscayne Bay to the point of beginning.

*Manatee County.* Beginning at the intersection of the Manatee River and I–75; then west along the shoreline of the Manatee River to Terra Ceia Bay; then northeast along the shoreline of Terra Ceia Bay to the Terra Ceia River; then north along the Terra Ceia River to I–275; then east on I–275 to Bishop Harbor Road; then north and east on Bishop Harbor Road to U.S. 41; then north on U.S. 41 to Buckeye Road; then east on Buckeye Road to the eastern boundary of sec. 10, T. 33 S, R. 18 E; then south along the eastern boundary of sec. 10, T. 33 S, R. 18 E to Carter Road; then south on Carter Road to the eastern boundary of sec. 22, T. 33 S, R. 18 E; then south along the eastern boundary of sec. 22, T. 33 S, R. 18 E to Erie Road; then east and south along Erie Road to U.S. Highway 301; then southwest along U.S. Highway 301 to I–75; then south along I–75 to the point of beginning.

\* \* \* \* \*

Done in Washington, DC, this 26th day of January 1999.

**Joan M. Arnoldi,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 99–2324 Filed 1–29–99; 8:45 am]

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### DEPARTMENT OF JUSTICE

#### Immigration and Naturalization Service

#### 8 CFR Part 244

[INS No. 1972–99]

RIN 1115–AF37

#### Temporary Protected Status: Amendments to the Requirements for Employment Authorization Fee, and Other Technical Amendments

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

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

**SUMMARY:** This interim rule amends the Immigration and Naturalization Service (Service) regulations by removing outdated language requiring that only certain EL Salvadorans must pay a fee for Temporary Protected Status (TPS)-related applications for employment authorization documents (EADs). Removing this language will make Service regulations conform to current Service policy as provided in the instructions to the Form I–765. The instructions on the Form I–765 instruct

all applicants for TPS who desire employment authorization to pay the fee.

**DATES:** *Effective date:* This interim rule is effective February 1, 1999.

*Comment date:* Comments must be submitted on or before April 2, 1999.

**ADDRESSES:** Please submit written documents, 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. 1972–99 on your correspondence. Comments are available for public inspections at the above address by calling (202) 514–3291 to arrange for an appointment.

**FOR FURTHER INFORMATION CONTACT:** Michael Valverde, Residence and Status Branch, Office of Adjudications, Immigration and Naturalization Service, 425 I Street, NW, Room 3040, Washington, DC 20536, telephone (202) 514–3228.

#### SUPPLEMENTARY INFORMATION:

#### What is Temporary Protected Status?

Under section 244 of the Immigration and Nationality Act (Act), TPS is a temporary immigration status granted by the Attorney General to eligible nationals of a designated country or part of a country. Beneficiaries of TPS are granted a stay of removal and employment authorization for the designated TPS period and for any extensions of the designations. TPS does not lead to permanent resident status.

#### What Language is Being Removed Regarding Application Fees for Employment Authorization Documents?

The Service is amending section 244.6 to remove outdated language requiring that only certain El Salvadorans must pay a fee for TPS-related applications for EADs. Section 244.6 currently states that “\* \* \* the filing fee for the Form I–765 will be charged only for those aliens who are nationals of El Salvador, and are between the ages of 14 and 65 (inclusive), and are requesting work authorization.” This language pertains to the statutory designations of EL Salvador for TPS (under section 303 of the Immigration Act of 1990) that expired June 30, 1992.

The El Salvador specific fee language has been superseded by the fee requirements contained on the instructions to the Form I–765 (last revised on April 25, 1995). The Form I–765 instructs applicants filing for initial TPS to pay the fee if they wish to receive employment authorization. The Service generally charges fees for

persons who apply for TPS (Form I-821) and who want employment authorization (Form I-765) regardless of nationality. Applicants also have the option of requesting a fee waiver for one or both of these fees in accordance with section 244.20. The Service does not charge a fee when a TPS applicant files the I-765 to comply with Service data collection purposes only and does not wish to receive employment authorization. Accordingly, section 244.6 will be amended by removing the phrase "who are nationals of El Salvador".

This interim regulation does not change the fee requirements for the Form I-821, Application for Temporary Protected Status or the related fingerprint fee.

### Technical Changes

#### *What Is Being Changed Regarding Application Filing Procedures?*

The Service is amending 8 CFR part 244 to remove the word "district" when used in a reference to a "district director". Through this change, the Service will have the flexibility to determine where an applicant should submit an application for TPS and which Service personnel will adjudicate the application. In order to ensure that applicants know where to file applications, all future publications by the Service in the **Federal Register** announcing new TPS designations or extensions will contain information regarding where applicants should file.

#### *What Is Being Changed Regarding the Duration of Employment Authorization?*

A technical amendment to section 244.12 will allow the Service to issue EADS, which are valid for a period of up to eighteen (18) months. Under section 244 of the Act, the Attorney General can authorize an initial designation period for TPS from 6 to 18 months. However, section 244.12 currently limits the validity period of TPS-related EADs to 12 months. This interim rule allows the Service to provide for a period of employment authorization commensurate with the entire designation period of TPS and will eliminate the need to reissue EADs after 12 months.

### Good Cause Exception

This interim rule is effective upon publication in the **Federal Register** although the Service invites post-promulgation comments and will address any such comments in a final rule. For the following reasons, the Service finds that good cause exists for adopting this rule without the prior

notice and comment period ordinarily required by 5 U.S.C. 553(b)(B) and (d)(3). The Amendments and technical changes made by this rule are administrative in nature and are necessary in order to: clarify the fee requirements for new classes of TPS eligible nationals who will be applying for employment authorization, update and standardize existing procedures, and enable the Service to more efficiently process applications for Temporary Protected Status.

### 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 this rule will not have a significant economic impact on a substantial number of small entities. This rule applies to individuals and has no economic effect on small entities.

### Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, or 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 in 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 12612

The regulations 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 244

Aliens, Reporting and recordkeeping requirements.

Accordingly, part 244 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

### PART 244—TEMPORARY PROTECTED STATUS FOR NATIONALS OF DESIGNATED STATES

1. The authority citation for part 244 continues to read as follows:

**Authority:** 8 U.S.C. 1103, 1254, 1254a note, 8 CFR part 2.

#### § 244.1 [Amended]

2. In § 244.1, the definition for the term Register is amended by removing the word "district".

3. Section 244.6 is revised to read as follows:

#### § 244.6 Application.

An application for Temporary Protected Status must be made in accordance with § 103.2 of this chapter except as provided in this section. Each application must be filed with the fee, as provided in § 103.7 of this chapter by each individual seeking temporary protected status, except that the filing fee for the Form I-765 will be charged only for those applicants between the ages of 14 and 65 (inclusive) who are requesting employment authorization. Each application must include a completed Form I-821, Application for Temporary Protected Status, Form I-765, Application for Employment Authorization, two identification photographs (1½" x 1½"), and supporting evidence as provided in § 244.9. Every applicant who is 14 years of age or older must be fingerprinted on Form FD-258, Applicant Card, as prescribed in § 103.2(e) of this chapter.

**§ 244.10 [Amended]**

4. In § 244.10, the section heading is amended by removing the word "district".

5. Section 244.10 is amended by removing the word "district" wherever it appears in the following paragraphs:

- a. Paragraph (a);
- b. Paragraph (b);
- c. Paragraph (d)(2); and
- d. Paragraph (f)(2)(iii).

6. In § 244.10, paragraph (f)(4)(ii) is amended by revising the phrase "District Office" to read: "district office or service center".

**§ 244.12 [Amended]**

7. In § 244.12, paragraph (a) is amended by removing the phrase "or twelve (12) months, whichever is shorter".

**§ 244.15 [Amended]**

8. In § 244.15, paragraph (a) is amended in the third sentence by removing the word "district".

**§ 244.18 [Amended]**

9. In § 244.18, paragraph (b) is amended in the last sentence by revising the term "district director" to read "director", and by revising the phrase "the district where" to read "the jurisdiction where".

Dated: January 26, 1999.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 99-2334 Filed 1-29-99; 8:45 am]

BILLING CODE 4410-01-M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 98-AGL-56]

**Modification of Class E Airspace; Fremont, OH**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Fremont, OH. A Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) 090° helicopter point in space approach has been developed for Memorial Hospital of Sandusky County Heliport. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. This action modifies existing controlled airspace for Fremont, OH, in order to include the

point in space approach serving Memorial Hospital of Sandusky County Heliport.

**EFFECTIVE DATE:** 0901 UTC, March 25, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Michelle M. Behm, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

**SUPPLEMENTARY INFORMATION:****History**

On Monday, November 16, 1998, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Fremont, OH (63 FR 63627). The proposal was to add controlled airspace extending upward from 700 to 1200 feet AGL to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the enroute and terminal environments. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. One comment objecting to the proposal was received. The individual felt it would be safer in instrument flight conditions to have helicopters fly into the Fremont Airport rather than two separate locations, and, since the hospital is located nearby the airport, no time would be lost transporting medical emergency patients to the hospital. Air traffic control procedures require aircraft be separated and protected from other aircraft during instrument approaches. The existing instrument approach procedure into Fremont Airport is roughly parallel to, and slightly offset to the northeast of, the proposed instrument approach procedure into the Memorial Hospital of Sandusky County Heliport. Therefore, simultaneous instrument approach clearances would not be issued into Fremont Airport, or Fremont Airport and the Memorial Hospital of Sandusky County Heliport; therefore whether a helicopter lands at the airport or the hospital heliport, no change in safety of flight would occur. In addition, the nature of the helicopter medical emergency flights into Memorial Hospital of Sandusky County Heliport requires the least amount of transit time possible. These procedures would eliminate the need for ground based vehicular transportation between the airport and the hospital. Minutes and seconds are crucial in life and death medical emergencies; therefore, direct access to the hospital heliport in instrument flight conditions is greatly desired.

Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to 14 CFR part 71 modifies Class E airspace at Fremont, OH, to accommodate aircraft executing the proposed GPS SIAP 090° helicopter point in space approach at Memorial Hospital of Sandusky County Heliport by modifying existing controlled airspace for the heliport. The area will be depicted on appropriate aeronautical charts.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 95665, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace