

application for admission to the United States. The applicant is not precluded from filing a new application, however, the applicant may not submit a subsequent application for a border crossing card to the Service for at least 180 days.

(5) *Issuance of Form I-185.* Following approval of Form I-175, each applicant is required to appear in person for issuance of Form I-185, Nonresident Alien Canadian Border Crossing Card.

(6) *Validity.* Form I-185 shall be valid for 10 years from date of issuance, or until revoked or voided.

\* \* \* \* \*

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

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

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

4. In § 264.1, paragraph (b) is amended by adding in proper numerical sequence the entry for Form "I-586", to read as follows:

##### **§ 264.1 Registration and fingerprinting.**

\* \* \* \* \*

(b) \* \* \*

\* \* \* \* \*

I-586, Nonresident Alien Border Crossing Card—Citizens of Mexico residing in Mexico.

\* \* \* \* \*

5. Section 264.4 is revised to read as follows:

##### **§ 264.4 Application to replace a Nonresident Alien Border Crossing Card.**

Pursuant to § 212.6(d) of this chapter, an application for a replacement Nonresident Alien Canadian Border Crossing Card must be filed on Form I-175, and an application for a replacement Nonresident Alien Border Crossing Card for Mexican citizens must be filed on Form I-190. A fee for the filing of either Form I-175 or Form I-190, as prescribed in § 103.7(b) of this chapter, must be submitted at the time of application.

Dated: December 10, 1995.

Doris Meissner,

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 96-2453 Filed 2-5-96; 8:45 am]

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#### **8 CFR Part 274a**

[INS No. 1713-96]

RIN 1115-AB73

#### **Extension of Application Deadline for Participation in the Demonstration Project Concerning Electronic Options for Processing of Forms I-9**

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

**ACTION:** Notice extending deadline for submission of applications.

**SUMMARY:** The Immigration and Naturalization Service (Service) published a notice in the Federal Register on November 30, 1995 at 60 FR 61630. The notice provided application requirements and guidance to businesses, consortium of businesses, or other employing entities which might be interested in participating in a demonstration project dealing with the electronic production and/or storage of a Form I-9, Employment Eligibility Verification Form. The proposed demonstration project discussed in the notice was the result of numerous inquiries made by members of the business community expressing a desire to electronically produce and/or store the Form I-9.

This subsequent notice serves to inform the public that the Service has decided to extend the deadline for applications for the demonstration project. This extension is in response to the considerable number of requests the Service has received from the business community to allow for additional time to prepare applications.

**DATES:** Written applications, responding to all of the Application Requirements and Criteria cited in the November 30, 1995 Federal Register notice published at 60 FR 61630, or available on the Internet at [gopher:justice.usdoj.gov](http://gopher:justice.usdoj.gov), must be submitted on or before March 8, 1996.

**ADDRESSES:** Please submit an original application and five copies to the Immigration and Naturalization Service, 425 I Street, NW., Room 1000, Washington, DC 20536, Attention: Form I-9 Demonstration Project.

**FOR FURTHER INFORMATION CONTACT:** Robert Atwater, Immigration and Naturalization Service, 425 I Street, NW., Room 1000, Washington, DC 20536, telephone (202) 514-2998.

Dated: February 1, 1996.

Doris Meissner,  
*Commissioner.*

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#### **NUCLEAR REGULATORY COMMISSION**

#### **10 CFR Part 2**

RIN 3150-AF23

#### **Petition for Rulemaking; Procedure for Submission**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule: Withdrawal.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is withdrawing a notice of proposed rulemaking published in the Federal Register on March 28, 1995 (60 FR 15878), pertaining to petitions for rulemaking. The proposed rule would have provided incentive of more expeditious disposition by the NRC to those petitioners who submitted detailed supporting information in their petitions which facilitated NRC review. The proposed rule would also have delineated factors that affect priorities for review of the petitions. In lieu of the proposed rulemaking, the information in the proposed rule together with additional guidance will be provided in a Regulatory Guide to be developed by the NRC and distributed to the industry and the public.

**FOR FURTHER INFORMATION CONTACT:** T. Y. Chang, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6450.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 28, 1995 (60 FR 15878), the NRC published a notice of proposed rulemaking for public comment in the Federal Register, entitled "Petition for Rulemaking; Procedure for Submission", to amend § 2.802, Petition for Rulemaking. The proposed rule would have provided incentive of more expeditious disposition by the NRC to those petitioners who submitted detailed supporting information in their petitions which facilitated NRC review. The proposed rule would also have delineated factors that affect priorities for review of the petitions.

Twelve comment letters were received on the proposed rule. The industry and various Federal and local governmental agencies generally commended the NRC for proposing ways to improve the process of petitioning for rulemaking, but most commenters thought it is unnecessary to codify the criteria for expedited processing of petitions for rulemaking in the Code of Federal Regulations.

Instead, it was suggested that documents such as regulatory guides and information letters, which are guidance rather than rules, were more appropriate vehicles to provide this information.

Three of the four nonnuclear, nongovernment commenters also opposed the proposed rulemaking, on the grounds that (1) the NRC was passing off its responsibilities for analysis and documentation to the public, who could not possibly undertake this type of burden, and (2) the NRC might ignore safety issues raised by the public that might not be thoroughly documented in favor of issues that would be beneficial to the industry and that were well documented but were not real safety issues.

These two aspects were fully discussed in the proposed rule. The proposed rule stated that "The proposed changes would afford any petitioner two options: submit the minimal threshold information in the petition that is required by the current rule and be subject to the regular processing procedures, or submit more detailed supporting information and analyses in the petition in return for a more expeditious processing procedure by the NRC. The proposed revisions would not change any existing provision regarding petitions for rulemaking if they meet the minimum threshold requirement of the current § 2.802(c)." Further, the proposed rule stated that "Consideration of safety significance is the first criterion for prioritizing the review and disposition of petitions. It is the primary concern of the NRC to ensure that design and operation of NRC licensed facilities are carried out in a manner which assures adequate protection of public health and safety, of the environment, and of national security. Therefore, petitions found by the NRC to raise a concern in this regard would receive immediate NRC attention." In addition, the proposed rule stated that "Petitions containing supporting information additional to those currently required would improve their priority for review and receive more expeditious disposition."

The NRC originally proposed to amend the current § 2.802 as a rule change. After reviewing comments on the proposed § 2.802, however, the NRC became convinced that there is strong merit in the comments recommending against codification of the criteria for expedited processing of the petitions for rulemaking, because (1) the proposed procedure does not impose mandatory requirements, and (2) the proposed

procedure is clearly of an administrative nature.

Therefore, the proposed rule is not required and is being withdrawn, and the information in the proposed rule will be provided in a Regulatory Guide to be developed by the NRC and distributed to the industry and the public. In addition to the information originally intended to be included in the revised § 2.802, the Regulatory Guide will also provide guidance for preparation of more detailed petitions for rulemaking.

Furthermore, as mentioned in the proposed rule, the NRC has identified a need to establish an administrative framework to facilitate concerned parties' submittal of proposals to issue, amend, or rescind any generic regulatory guidance document. Generic regulatory guidance documents are documents such as regulatory guides, bulletins, generic letters and sections of the Standard Review Plan (including Branch Technical Positions), which do not have the force and effect of a regulation, but are used by the NRC to identify or clarify acceptable NRC staff positions which comply with NRC regulations. A formal procedure which enables interested parties to propose changes to these regulatory guidance documents does not now exist. Therefore, a separate Regulatory Guide will be developed by the NRC to provide guidance for preparation and submission of proposals for generic regulatory guidance documents.

Dated at Rockville, Maryland, this 31st day of January, 1996.

For the Nuclear Regulatory Commission.  
John C. Hoyle,  
*Secretary of the Commission.*  
[FR Doc. 96-2437 Filed 2-5-96; 8:45 am]  
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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ASO-7]

#### Proposed Amendment to Class D Airspace and Establishment of Class E Airspace; Jackson, TN

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend Class D surface area airspace and establish Class E surface area arrival extension airspace at Jackson, TN. The arrival extension, which is currently

part of the Class D airspace area, is greater than 2 miles and must be redesignated as Class E4 airspace.

**DATES:** Comments must be received on or before March 23, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 96-ASO-7, Manager, System Management Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

**FOR FURTHER INFORMATION CONTACT:** Benny L. McGlamery, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-ASO-7." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.