14. Written Agreements

Designated terms of this policy may be altered by written agreement in accordance with the following:

(a) You must apply in writing for each written agreement no later than the sales closing date, except as provided in section 14(e);

(b) The application for a written agreement must contain all variable terms of the contract between you and us that will be in effect if the written agreement is not approved;

(c) If approved, the written agreement will include all variable terms of the contract, including, but not limited to, crop type or variety, the guarantee, premium rate, and price election;

(d) Each written agreement will be valid for one year (If the written agreement is not specifically renewed the following year, insurance coverage for subsequent crop years will be in accordance with the printed policy); and

(e) An application for a written agreement submitted after the sales closing date may be approved if, after a physical inspection of the acreage, it is determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

Signed in Washington, D.C., on May 19, 1997.

Kenneth D. Ackerman,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 97–13656 Filed 5–22–97; 8:45 am]

BILLING CODE 3401–08–P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 245

[INS No. 1825–97]

RIN 1115–AE25

Adjustment of Status for Certain Polish and Hungarian Parolees

AGENCY: Immigration and Naturalization Service. Justice.

ACTION: Interim rule with request for comments.

SUMMARY: This rule amends the Immigration and Naturalization Service (Service) regulations by providing for the adjustment to lawful permanent resident status of certain alien parolees from Polish and Hungary. This is necessary to ensure that these individuals, paroled into the United States between November 1, 1989, and December 31, 1991, will have the opportunity to apply for resident alien status.

DATES: *Effective Date:* This interim rule is effective May 23, 1997.

Comment Date: Written comments must be submitted on or before July 22, 1997.

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 (1825–97) 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: Gerard Casale, Senior Adjudications Officer, Immigration and Naturalization Service, Adjudications and Nationality Division, 425 I Street, NW., Room 3214, Washington, DC 20536, telephone (202) 514–5014.

SUPPLEMENTARY INFORMATION: Section 646 of Public Law 104–208, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), provides for the adjustment of status to lawful permanent resident of certain nationals of Polish and Hungary who were inspected and granted parole into the United States during the period beginning on November 1, 1989, and ending on December 31, 1991, after having been denied refugee status. In order to apply for the benefits of section 646 of IIRIRA, eligible aliens must have been physically present in the United States for at least 1 year and be physically present in the United States on the date their application for such adjustment is filed. Applicants are also required to establish that they are admissible to the United States as immigrants under the Immigration and Nationality Act, except as provided in section 646(c) of IIRIRA. The law sets no time limit for making an application for adjustment under this provision.

Section 646(c) of IIRIRA exempts eligible applicants from the restrictions on admissibility set forth in paragraphs (4), (5), and (7)(A) of section 212(a) of the Immigration and Naturalization Act (the Act) and authorizes the Attorney General to waive any provision of section 212(a) of the Act, other than paragraph (2)(C) and paragraphs (3)(A), (B), (C), or (E), provided that the Attorney General determines that the applicant's adjustment to permanent resident status would be justified ''for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.''

This rule adds a new section, § 245.12, to Title 8 of the Code of Federal Regulations, which provides that each person seeking the benefits of section 646(b) of Pub. L. 104–208 (IIRIRA) must apply to the district director having jurisdiction over his or her place of residence, by filing a completed Form I–485, Application to Register Permanent Residence or Adjust Status, accompanied by the appropriate filing fee. Each application must be accompanied by specific evidence that the applicant meets the eligibility requirements of IIRIRA section 646, as well as the medical examination, security checks, and other supporting documentation set forth in § 245.12.

There is no statutory provision to make application for the benefits of section 646 of IIRIRA outside the United States. For that reason, aliens whose applications for adjustment of status are still pending should not depart from the United States without first applying for advance parole authorization.

Good Cause Exception

The Service's implementation of this rule as an interim rule, with a provision for post-promulgation public comment, is based upon the ''good cause'' exception found at 5 U.S.C. 553(b)(B) and (d)(3). The reasons and the necessity for immediate implementation of this interim rule without prior notice and comment are as follows: These changes have been mandated by the passage of Pub. L. 104–208, and early implementation will be advantageous to the intended beneficiaries who have been in parolee status without the opportunity to apply for permanent resident status and are now eligible for adjustment of status in the United States.

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 of the following factor: this regulation affects individuals, not small entities and the number of individuals affected are minimal.

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 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 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 cost 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 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

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

Paperwork Reduction Act

This interim rule does not impose any new reporting or recordkeeping requirements. The information collection requirements contained in this rule have previously been approved for use by the Office of Management and Budget under the paperwork Reduction Act. The OMB control numbers for these collections are contained in 8 CFR 299.5, Display of control numbers.

Lists of Subjects in 8 CFR Part 245

Aliens, Immigration, Reporting and recordkeeping requirements.

Accordingly, part 245 of chapter I of title 8, the Code of Federal Regulations is amended as follows:

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

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

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

2. Section 245.12 is added to read as follows:

§ 245.12 Adjustment of status of certain Polish and Hungarian parolees under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

(a) *Application.* Each person applying for adjustment of status under section 646(b) of Pub. L. 104–208 must file a completed Form I–485, Application to Register Permanent Residence or Adjustment Status, accompanied by the appropriate filing fee, with the district director having jurisdiction over the applicant's place of residence. Each application shall be accompanied by specific evidence that the applicant meets the requirements for eligibility under section 646 of Pub. L. 104–208; a Form I–643, Health and Human Services Statistical Data; the results of the medical examination made in accordance with § 245.5; Form G–325A, Biographic Information, and, unless the applicant is under the age of 14 years or over the age of 79 years, a properly executed Form FD–258, Fingerprint Card.

(b) *Effect of departure.* Departure from the United States by an applicant for benefits under this provision shall be deemed an abandonment of the application as provided in § 245.2(a)(4)(ii).

Dated: May 6, 1997.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 97–13594 Filed 5–22–97; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM–133; Special Conditions No. 25–ANM–127]

Special Conditions: Jetstream Aircraft Limited, Jetstream Model 4100 Series Airplanes, Passenger Airbag Installation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are to be issued to Jetstream Aircraft Limited of Prestwick, Scotland (formerly British Aerospace Public Limited Company (BAe)) for the Jetstream Model 4100 series airplanes. This airplane series has a novel or unusual design feature associated with the installation of passenger airbags. Since the applicable airworthiness regulations do not contain adequate or appropriate safety standards for this particular design feature, these special conditions contain the additional safety standards which the Administrator finds necessary to establish a level of safety equivalent to that established by the airworthiness standards for transport category airplanes.

EFFECTIVE DATE: June 23, 1997.

FOR FURTHER INFORMATION CONTACT: Jeff Gardlin, Regulations Branch, ANM–114, Transport Airplane Directorate, Aircraft Certification Service, FAA, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2136.

SUPPLEMENTARY INFORMATION:

Background

On May 24, 1989, BAe Public Limited Company (currently Jetstream Aircraft Ltd.) applied for a type certificate for the BAe Model 4100 (currently Jetstream Model 4101) airplane in the transport airplane category. The Model 4100 is a derivative of the Model 3100, which is a small airplane as defined by 14 CFR part 1, and is certificated under the provisions of 14 CFR part 23. Like the Model 3100, the Model 4100 was a low wing, twin engine turbo-prop design. The FAA issued Type Certificate (TC) A41NM for the Jetstream Model 4101 airplane on April 9, 1993. The TC includes Exemption 5587 from compliance with the head injury criteria (HIC) requirements in 14 CFR § 25.562 for the front row of passenger seats.

Section 25.562 specifies that dynamic tests must be conducted for each seat type installed in the airplane. The pass/fail criteria for these seats include structural as well as human tolerance criteria. In particular the regulations require that persons not suffer serious head injury under the conditions specified in the tests, and that a HIC measurement of not more than 1000 units be recorded, should contact with the cabin interior occur. The HIC is based on physiological data, and was first introduced in the automotive industry. At the time the rule was written, compliance with the HIC requirement was expected to involve using energy absorbing pads, upper torso restraints, or increasing spacing between seats and interior features. In