

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Receipt of Petition for Federal Acknowledgment of Existence as an Indian Tribe

AGENCY: Bureau of Indian Affairs.

ACTION: Notice.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(a), notice is hereby given that the Gabrielino/Tongva Indians of California Tribal Council, 5450 Slauson Avenue, Suite 151, Culver City, California 90230, has filed a letter of intent to petition for acknowledgment by the Secretary of the Interior that the group exists as an Indian tribe. The petition was received by the Bureau of Indian Affairs (BIA) on August 14, 1997, and was signed by members of the group's governing body.

This is a notice of receipt of a letter of intent to petition and does not constitute notice that the petition is under active consideration. Notice of active consideration will be sent by mail to the petitioner and other interested parties at the appropriate time.

Under Section 83.9(a) of the Federal regulations, interested parties may submit factual and/or legal arguments in support of or in opposition to the group's petition. Any information submitted will be made available on the same basis as other information in the BIA's files. Such submissions will be provided to the petitioner upon receipt by the BIA. The petitioner will be provided an opportunity to respond to such submissions prior to a final determination regarding the petitioner's status.

The petition may be examined, by appointment, in the Department of the Interior, Bureau of Indian Affairs, Branch of Acknowledgment and Research, 1849 C Street, NW, Washington, D.C. 20240. Phone: (202) 208-3592.

Dated: January 12, 1998.

Hilda A. Manuel,

Deputy Commissioner of Indian Affairs.

[FR Doc. 98-1334 Filed 1-20-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

National Park Service

Maine Acadian Culture Preservation Commission; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) that the Maine Acadian Culture Preservation Commission will meet on Friday, February 6, 1998. The meeting will convene at 7:00 p.m. in the Centre culturel du Mont-Carmet, Lille Village of Grand Isle, Aroostook County, Maine.

The Maine Acadian Culture Preservation Commission was appointed by the Secretary of the Interior pursuant to the Maine Acadian Culture Preservation Act (Pub. L. 101-543). The purpose of the Commission is to advise the National Park Service with respect to:

- The development and implementation of an interpretive program of Acadian culture in the state of Maine.
- The selection of sites for interpretation and preservation by means of cooperative agreements.

The Agenda for this meeting is as follows:

1. Review of October 17 and December 12 summary reports.
2. Speaker: Adrien Berube of the Université de Moncton, Edmundston, New Brunswick, Canada. "Ten Facts About The History of Madawaska Which Should Be Taken With A Grain Of Salt".
3. Report of the National Park Service Project Staff.
4. Opportunity for public comment.
5. Proposed agenda, place, and date of the next Commission Meeting.

The meeting is open to the public. Further information concerning Commission meetings may be obtained from the Superintendent, Acadia National Park. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made at least seven days prior to the meeting to: Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, ME 04609-0177; telephone (207) 288-5472.

Paul F. Haertel,

Superintendent, Acadia National Park.

[FR Doc. 98-1340 Filed 1-20-98; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF JUSTICE

[EOIR 121; AG Order No. 2139-98]

Executive Office for Immigration Review; Motion To Reopen: Suspension of Deportation and Cancellation of Removal

AGENCY: Department of Justice, Executive Office for Immigration Review.

ACTION: Notice.

SUMMARY: Pursuant to section 203 of the Nicaraguan Adjustment and Central American Relief Act (NACARA), certain aliens who are nationals of Guatemala, El Salvador, and particular former Soviet bloc countries who have final orders of deportation or removal may file a motion to reopen their cases before the Immigration Court or the Board of Immigration Appeals to apply for suspension of deportation or cancellation of removal. NACARA specifies that the Attorney General shall designate a time period in which such motions to reopen may be filed without regard to the statutory and regulatory time and number restrictions on motions to reopen. This notice designates that the time period for filing such motions will be from January 16, 1998, to September 11, 1998.

FOR FURTHER INFORMATION CONTACT: Margaret M. Philbin, General Counsel, Executive Office for Immigration Review, Suite 2400, 5107 Leesburg Pike, Falls Church, Virginia 22041, telephone: (703) 305-0470.

SUPPLEMENTARY INFORMATION:**Background**

Section 203 of the Nicaraguan Adjustment and Central American Relief Act (Pub. L. 105-100; 111 Stat. 2160, 2193) (NACARA), signed into law on November 19, 1997, amended section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. 104-208; 110 Stat. 3009-625) (IIRIRA) to provide special rules regarding applications for suspensions of deportation and cancellation of removal by certain aliens. These aliens include Guatemalan, Salvadoran, and particular former Soviet bloc nationals described in section 309(c)(5)(C)(i) of IIRIRA, as amended by section 203 of NACARA.

In addition, NACARA amended section 309 of IIRIRA to allow aliens with final orders of deportation or removal who have become eligible for cancellation of removal or suspension of deportation as a result of the amendments made by section 203 of NACARA to file one motion to reopen

removal or deportation proceedings to apply for such relief, without regard to the time and number limitations on motions to reopen.

NACARA also requires that the Attorney General designate a specific time period for filing motions to reopen for such relief beginning no later than 60 days after the date of enactment of NACARA and extending for a period not to exceed 240 days. See section 309(g) of IIRIRA, as amended by section 203(c) of NACARA.

Who Is Eligible To File a Motion To Reopen Under Section 203 of NACARA?

As set forth in section 309(c)(5)(i) of IIRIRA, as amended by section 203 of NACARA, the following people may be eligible to file a motion to reopen to apply for suspension of deportation or cancellation of removal under the special rules of section 203 of NACARA, if they have not been convicted at any time of an aggravated felony:

1. Nationals of El Salvador who:
 - a. first entered the United States on or before September 19, 1990;
 - b. registered for ABC benefits or Temporary Protected Status (TPS) on or before October 31, 1991; and
 - c. were not apprehended after December 19, 1990, at time of entry.
2. Nationals of Guatemala who:
 - a. first entered the United States on or before October 1, 1990;
 - b. registered for ABC benefits on or before December 31, 1991; and
 - c. were not apprehended after December 19, 1990 at time of entry.
3. Nationals of Guatemala or El Salvador who applied for asylum with INS on or before April 1, 1990.
4. Nationals of the Soviet Union, Russia, any republic of the former Soviet Union, Latvia, Estonia, Lithuania, Poland, Czechoslovakia, Romania, Hungary, Bulgaria, Albania, East Germany, Yugoslavia, or any state of the former Yugoslavia who:
 - a. entered the United States on or before December 31, 1990;
 - b. applied for asylum on or before December 31, 1991; and
 - c. at the time of filing were a national of any of the countries listed above.
5. Spouses and children of a person granted suspension of deportation or cancellation of removal who is described under classes 1-4 above.
6. Unmarried sons and daughters of a parent granted suspension of deportation or cancellation of removal who is defined under classes 1-4 above, if the unmarried son or daughter was 21 years or older at the time the parent was granted suspension of deportation or cancellation of removal. The unmarried

sons and daughters must have entered the U.S. on or before October 1, 1990.

Procedures for Reopening

The Attorney General has designated the period from January 16, 1998, until September 11, 1998, for eligible aliens to file a motion to reopen pursuant to NACARA. Eligible aliens may file only one such motion. The front page of the motion and any envelope containing the motion should include the notation "Special NACARA Motion." The fee for motions to reopen (currently \$110) will be waived for eligible aliens under section 203 of NACARA.

If an alien has previously filed an application for suspension of deportation or cancellation of removal with the Immigration Judge or the Board of Immigration Appeals, he or she must file a copy of that application or a new application with the motion to reopen. If the motion to reopen is granted and the alien has previously filed an application, the alien will not be required to pay a new filing fee for the suspension/cancellation application.

If an alien has not previously filed an application for suspension of deportation or cancellation of removal, the alien must submit a new application with the motion to reopen. Nothing in this notice changes the requirements and procedures in 8 CFR 3.31(b), 103.7(b)(1), and 240.11(f) for paying the application fee for suspension/cancellation after a motion to reopen is granted if such an application was not previously filed. If an alien is required to submit a new application form, the alien should submit an Application for Suspension of Deportation (Form EOIR-40), whether he or she is in deportation or removal proceedings.

Grants of Suspension and Cancellation Under NACARA Not Conditional

Section 304(a)(3) of IIRIRA required that grants of suspension/cancellation be subject to a numerical limitation of 4,000 per fiscal year. Section 240A(e)(3) of the Immigration and Nationality Act, as amended by section 204(a) of NACARA, however, provides that applications for suspension of deportation and cancellation of removal granted pursuant to section 203 of NACARA are not subject to that annual limitation. Therefore, notwithstanding the provisions of 8 CFR 240.21, grants of suspension and cancellation pursuant to section 203 of NACARA shall be made without condition.

Dated: January 15, 1998.

Janet Reno,

Attorney General.

[FR Doc. 98-1520 Filed 1-16-98; 2:26 pm]

BILLING CODE 1531-26-M

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OJP(OJP)-1152]

Fiscal Year 1998 Program Plan for the Office of Justice Programs

AGENCY: Office of Justice Programs, Justice.

ACTION: Notice of availability of Program Plan.

SUMMARY: The Fiscal Year 1998 Program Plan for the Office of Justice Programs is now available on the Internet and in hard copy.

FOR FURTHER INFORMATION CONTACT: The Office of Congressional and Public Affairs, 810 7th St., N.W., Washington, D.C. 20531. Telephone (202) 307-0703. Facsimile (202) 514-5958.

SUPPLEMENTARY INFORMATION: The Assistant Attorney General for the Office of Justice Programs (OJP) is pleased to announce that the OJP Program Plan for Fiscal Year 1998 is now available both on the Internet and in hard copy. This Program Plan details the various programs that OJP funds and supports.

The Program Plan is available from the OJP website at <http://www.ojp.usdoj.gov/Plan>. Printed copies can be obtained from the address above.

Dated: January 14, 1998.

Laurie Robinson,

Assistant Attorney General, Office of Justice Programs.

[FR Doc. 98-1316 Filed 1-20-98; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket Number ICR 98-1]

Agency Information Collection Activities: Proposed Collection; Comment Request; Student Data Form

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an