

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

opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Occupational Safety and Health Administration is soliciting comments concerning the proposed reinstatement of the information collection request for the Student Data Form which is completed by students attending courses at OSHA's Training Institute. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before March 23, 1998. The Department of Labor is particularly interested in comments which:

- evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

**ADDRESSES:** Comments are to be submitted to the Docket Office, Docket No. ICR 98-1, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210, telephone number (202) 219-7894. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046.

**FOR FURTHER INFORMATION CONTACT:** Robert O'Brien, Division of Administration and Training Information, OSHA Office of Training and Education, 1555 Times Drive, Des Plaines, IL 60018, telephone (847) 297-

4810 (this is not a toll-free number), e-mail to robert.obrien@oti.osha.gov, or send a facsimile message to (847) 297-4874. Copies of the referenced information collection request are available for inspection and copying in the Docket Office and will be mailed to persons who request copies by telephoning Robert O'Brien or Barbara Bielaski at (202) 219-7177, x142. For electronic copies of the Information Collection Request for the Student Data Form, contact OSHA's WebPage on the Internet at <http://www.osha.gov> under Standards.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Occupational Safety and Health Administration (OSHA) Training Institute provides basic, intermediate, and advanced training and education in occupational safety and health for Federal and State compliance officers, agency professional and technical support personnel, employers, employees, organizations representing employees and employers, educators who aid in developing curricula and teaching occupational safety and health courses, and representatives of professional safety and health groups.

Students attending OSHA's Training Institute courses complete the one-page form on the first day of class. The information is used in order to know who to contact in the event of an emergency and to obtain the correct student group information for record keeping and reporting needs. The student group information is also used to ensure that OSHA is collecting tuition from all private sector students as required by OMB Circular A-25 and Part 1949 of Title 29, Code of Federal Regulations.

##### II. Current Actions

OSHA is planning to reinstate this form. Its approval was inadvertently allowed to lapse.

*Type of Review:* Reinstatement.  
*Agency:* Occupational Safety and Health Administration.  
*Title:* Student Data Form.  
*OMB Number:* Formerly 1218-0172.  
*Agency Number:* OSHA 182.  
*Affected Public:* Individuals.  
*Total Respondents:* 5500.  
*Frequency:* On occasion.  
*Total Responses:* 5500.  
*Average Time per Response:* 5 minutes.

*Estimated Total Burden Hours:* 463 hours.

*Total Burden Cost (operating/maintaining):* \$7,662.

Comments submitted in response to this comment request will be

summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 14, 1998.

**Zigmas Sadauskas,**

*Acting Director, Office of Training and Education.*

[FR Doc. 98-1328 Filed 1-20-98; 8:45 am]

BILLING CODE 4510-26-M

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket Number ICR 98-2]

#### Agency Information Collection Activities: Proposed Collection; Comment Request; Acrylonitrile

**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 opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently the Occupational Safety and Health Administration is soliciting comments concerning the proposed extension of the information collection request for the Acrylonitrile Standard 29 CFR 1910.1045. A copy of the proposed information collection request (ICR) can be obtained by contacting the employee listed below in the addressee section of this notice. The Department of labor is particularly interested in comments which:

- evaluate whether the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and