4–24–97
Vol. 62 No. 79
Pages 19897–20088

federal register

Thursday
April 24, 1997

Briefings on how to use the Federal Register
For information on briefings in Washington, DC, see announcement on the inside cover of this issue. For information on briefings in Kansas City and Independence, MO, Long Beach and San Francisco, CA, and Anchorage, AK, see the announcement in the Reader Aids.

Now Available Online

Code of Federal Regulations

via

GPO Access

(Selected Volumes)

Free, easy, online access to selected *Code of Federal Regulations (CFR)* volumes is now available via *GPO Access*, a service of the United States Government Printing Office (GPO). *CFR* titles will be added to *GPO Access* incrementally throughout calendar years 1996 and 1997 until a complete set is available. GPO is taking steps so that the online and printed versions of the *CFR* will be released concurrently.

The *CFR* and *Federal Register* on *GPO Access*, are the official online editions authorized by the Administrative Committee of the Federal Register.

New titles and/or volumes will be added to this online service as they become available.

http://www.access.gpo.gov/nara/cfr

For additional information on ***GPO Access*** products, services and access methods, see page II or contact the *GPO Access* User Support Team via:

★ Phone: toll-free: 1-888-293-6498

★ Email: gpoaccess@gpo.gov

HeinOnline -- 62 Fed. Reg. I 1997

program activity for which he or she was admitted to the United States.

The request for reinstatement also is to include copies of all of the exchange visitor's Forms IAP–66 issued to date and a new complete Form IAP–66 which indicates the date to which reinstatement is sought (namely, the program end date.) If the Agency determines that reinstatement is warranted, Box 6 on the new Form IAP–66 will be stamped by the Agency to indicate that reinstatement has been granted, effective as of the date that the request for reinstatement was received by the Agency. The new Form IAP–66 (minus the yellow copy) will be returned to the Responsible Officer. If the Agency does not approve the request for reinstatement the time for which the application was under review will count toward unauthorized status.

For purposes of Section 212(a)(9)(B) of the Immigration and Nationality Act (as amended by Section 301(b) of IIRAIRA), if the Agency approves the reinstatement, the calculation of the period of time specified in paragraph (B) will be tolled as of the date the request for reinstatement is received by the Agency. The Agency will deal expeditiously with all applications, and it is expected that most can be handled on a pro forma basis.

There are certain issues that this statement of policy purposely does not address. For example, if an exchange visitor wilfully fails to maintain the health and accident insurance required under 22 CFR 514.14, that exchange visitor is in violation of the regulations and is subject to being terminated from the exchange visitor program. (22 CFR 514.14 (h) and (i)). An exchange visitor terminated from the exchange visitor program for wilfull failure to maintain health and accident insurance is not eligible for reinstatement.

Nor are employment-related issues dealt with in this statement of policy. Any exchange visitor who engages in unauthorized employment is subject to termination by the sponsor. Existing regulations require the sponsor to ensure that the activity in which the exchange visitor is engaged is consistent with the category and activity listed on the exchange visitor's Form IAP–66 (22 CFR 514.10(e)(1); 514.40.) An exchange visitor who is terminated from participation in his or her exchange program for unauthorized employment is not eligible for reinstatement.

Thus, while an exchange visitor may be in violation of the Agency's regulations regarding insurance coverage or employment, such violations would not in and of themselves make the exchange visitor "unlawfully present in the United States" within the meaning of IIRIRA. Those violations shall be dealt with under the existing Exchange Visitor Program regulations, and if the exchange visitor is terminated from the exchange program for such violations, he or she is ineligible for reinstatement.

The Agency anticipates that a Proposed Final Rule will be published in the **Federal Register** by July 1, 1997. Interested parties will have an opportunity to comment in writing on the proposed rule.

Dated: April 18, 1997.

Les Jin,

General Counsel.

[FR Doc. 97–10613 Filed 4–23–97; 8:45 am]

BILLING CODE 8230–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 151

Land Acquisitions

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of final agency determination to take land into trust.

SUMMARY: The Assistant Secretary—Indian Affairs made a final agency determination to acquire approximately 480.32 acres, more or less, of land into trust for the Saginaw Chippewa Indian Tribe of Michigan on April 14, 1997. 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.

DATES: This determination is effective April 14, 1997.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, MS 2070–MIB, 1849 C Street NW, Washington, D.C. 20240, telephone (202) 219–4066.

SUPPLEMENTARY INFORMATION: This notice is published to comply with the requirement of 25 CFR 151.12(b) that notice be given to the public of the Secretary's decision to acquire land in trust at least 30 days prior to signatory acceptance of the land into trust. The purpose of the 30-day waiting period in 25 CFR 151.12(b) is to afford interested parties the opportunity to seek judicial review of final administrative decisions to take land in trust for Indian tribes and individual Indians before transfer of title to the property occurs. On April 14, 1997, the Assistant Secretary—Indian Affairs decided to accept approximately 480.32 acres, more or less, of land into trust for the Saginaw Chippewa Indian Tribe of Michigan pursuant to the Indian Reorganization Act (IRA) of June 18, 1934, (48 Stat. 884; 25 U.S.C. 465). The Secretary shall acquire title in the name of the United States in trust for the Saginaw Chippewa Indian Tribe of Michigan for the following parcels of land described below no sooner than 30 days after the date of this notice.

A parcel of land being part of the N½ of Section 18, T14N, R3W, described as beginning at a point on the E–W¼ line of said Section which is East 2281.0 feet from the W¼ corner of said Section thence N 0°07′ E, 2382.19 feet; thence S 89°42′45″ E, 969.86 feet; thence S 0°08′08″ W, 175.22 feet; thence S 89°43′52″ E, 266.42 feet; thence S 0°08′08″ W, 2201.12 feet; thence N 89°59′ W, 932.84 feet along the E–W¼ line to the interior ¼ corner of said Section; thence West 302.56 feet along said E–W¼ line to the point of beginning; EXCEPT a part of the SW¼ of the NE¼ of Section 18, T14N, R3W, described as beginning at a point on the E–W¼ line of said Section which is S 89°59′ E, 150.0 feet from the Interior ¼ corner, thence N 0°07′ E, 450 feet, thence S 89°59′ E, 425 feet, thence S 0°07′ W, 450 feet, thence N 89°59′ W, 425 feet to the point of beginning, Chippewa Township, and

Part of the NW¼ of Section 18, T14N, R3W, described as beginning at a point on the West Section line which is N 0°23′50″ W, 208.7 feet from the W¼ corner of Section 18; thence N 0° 23′50″ W, 1011.3 feet; thence N 89°29′10″ E, 1625.0 feet parallel with the E–W¼ line; thence S 0°23′50″ E, 873.5 feet; thence S 89°29′10″ W, 377.15 feet; thence S 0°23′50″ E, 137.8 feet; thence S 89°29′10″ W, 1247.85 feet to the point of beginning, Chippewa Township, AND

A parcel of land being part of the NW¼ of Section 18, T14N, R3W, described as beginning at a point on the West line of Section 18 which is North 1220.0 feet from the W¼ corner of Section 18; thence North 680.07 feet along the West Section line; thence East 495.0 feet parallel with the E–W¼ line of Section 18; thence North 483.3 feet parallel with the West Section line to a point which is 165.0 feet South of the South right of way line of M–20 (Pickard Road); thence East 1386.0 feet parallel with the South right of way line of M–20; thence South 1164.19 feet parallel with the West Section line; thence West 1881.0 feet parallel with the E–W¼ line of Section 18, to the point of beginning, Chippewa Township, AND

HeinOnline -- 62 Fed. Reg. 19927 1997

The N½ of the N½ of the NE¼ of Section 19, T14N, R3W, EXCEPT the North 40 rods of the East 20 rods thereof, Chippewa Township, AND

The E½ of the NE¼ of Section 18, T14N, R3W, EXCEPT the North 20 rods, AND EXCEPT the South 20 rods of the W½ thereof, Chippewa Township, AND

The SE¼ of Section 18, T14N, R3W, EXCEPT the North 16 rods of the West 12 rods, 2 feet thereof, Chippewa Township, AND

The North 10 acres of the SW¼ of the NW¼ of Section 17, T14N, R3W, Chippewa Township, AND

The S½ of the NW¼ of the NW¼ of Section 17, T14N, R3W, EXCEPT the plat of Greencrest Park, according to the plat recorded in Liber 6 of Plats, Page 351, Isabella County Records; AND EXCEPT a parcel commencing 65 feet East of the SW corner of Lot 49 of Greencrest Park, according to the plat recorded in Liber 6 of Plats, Page 351, thence East along the South line of said Plat 311 feet, thence South 25 feet, thence West 311 feet, thence North 25 feet to the point of beginning, Chippewa Township, AND

Commencing at the SE corner of Lot 50 of Greencrest Park, according to the plat recorded in Liber 6 of Plats, Page 351, thence S 00°14′15″ E 25 feet, thence S 89°45′03″ E 66 feet, thence N 00°14′15″ W 25 feet to the SW corner of Lot 51 of said Plat, thence N 89°45′03″ W 66 feet to the point of beginning, AND

A parcel of land being part of the W½ of the NE¼ of Section 18, T14N, R3W, described as beginning at a point on the E–W¼ line which is S 89°59′ E, 932.85 feet from the interior ¼ corner of said Section 18, thence N 0°08′08″ E, 2201.12 feet, thence S 89°43′52″ E, 400 feet, S 0°08′08″ W, 2199.36 feet along the East N–S ⅛ line of Section 18, thence N 89°59′ W, 400.0 feet along the E–W¼ line of Section 18 to the point of beginning, EXCEPT the East 8 rods of the South 20 rods thereof, Chippewa Township, AND

A parcel of land being part of the NW¼ of Section 18, T14N, R3W, described as beginning at a point on the E–W¼ line which is East 1881.0 feet from the W¼ corner of said Section; thence N 0°07′ E, 2384.19 feet; thence S 89°42′45″ E, 400.0 feet; thence S 0°07′ W, 2382.19 feet; thence West 400.0 feet along the E–W¼ line to the point of beginning, Chippewa Township.

Title to the land described above will be conveyed subject to any valid existing easements for public roads, highways, public utilities, pipelines, and any other valid easements or rights-of-way now on record.

Dated: April 14, 1997.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 97–10590 Filed 4–23–97; 8:45 am]

BILLING CODE 4310–02–P

DEPARTMENT OF JUSTICE

28 CFR Part 74

[Order No. 2077–97]

Redress Provisions for Persons of Japanese Ancestry: Guidelines Under Ishida v. United States

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The Department of Justice ("Department") hereby adopts a change to the regulations governing redress provisions for persons of Japanese ancestry. This change will amend the standards of the Civil Liberties Act of 1988, which authorizes the Attorney General to identify, locate, and make payments of $20,000 to eligible persons of Japanese ancestry. This change will amend the Act's standards to make eligible those persons who were born outside the prohibited military zones on the West Coast after their parents "voluntarily" evacuated as a result of military proclamations issued pursuant to Executive Order 9066. This change will also make eligible for redress those persons who were born outside the prohibited military zones in the United States after their parents were released from internment camps and whose parents had resided in areas that became part of the prohibited military zones on the West Coast immediately prior to their internment. In practice, this amendment will make potentially eligible those persons who were born after their parents were evacuated, relocated, or interned by the United States Government, and who were legally excluded from their parents' original place of residence in the prohibited military zones on the West Coast.

EFFECTIVE DATE: May 27, 1997.

FOR FURTHER INFORMATION CONTACT: Tink D. Cooper or Emlei M. Kuboyama, Office of Redress Administration, Civil Rights Division, U.S. Department of Justice, P.O. Box 66260, Washington, D.C. 20035–6260; (888) 219–6900 (voice) (toll-free) or (202) 219–4710 (TDD).

SUPPLEMENTARY INFORMATION:

I. Background

The Civil Liberties Act of 1988, Pub. L. No. 100–383, 102 Stat. 903 (codified at 50 U.S.C. app. 1989b–4) ("the Act"), enacted into law the recommendations of the Commission on Wartime Relocation and Internment of Civilians established by Congress in 1980. *See* Commission on Wartime Relocation and Internment of Civilians Act, Pub. L. No. 96–317, 94 Stat. 964 (1980). This bipartisan commission was established: (1) to review the facts and circumstances surrounding Executive Order 9066, issued February 19, 1942 (E.O. 9066"), and the impact of that Executive Order on American citizens and permanent resident aliens of Japanese ancestry; (2) to review directives of United States military forces requiring the relocation and, in some cases, detention in internment camps of these American citizens and permanent resident aliens; and (3) to recommend appropriate remedies. The Commission submitted to Congress in June 1983 a unanimous report, *Personal Justice Denied Part 2: Recommendations,* which extensively reviewed the history and circumstances of the decisions to exclude, to remove, and then to detain Japanese-Americans and Japanese resident aliens from the West Coast, as well as the treatment of Aleuts during World War II. The final part of the Commission's report, *Personal Justice Denied Part 2: Recommendations,* concluded that these events were influenced by racial prejudice, war hysteria, and a failure of political leadership, and recommended remedial action to be taken by Congress and the President.

On August 10, 1988, President Ronald Reagan signed the Act into law. The purposes of the Act were to acknowledge and apologize for the fundamental injustice of the evacuation, relocation, and internment of Japanese-Americans and permanent resident aliens of Japanese ancestry, to make restitution, and to fund a public education program to prevent the recurrence of any similar event in the future.

Section 105 of the Act makes the Attorney General responsible for identifying, locating, and authorizing payment of redress to eligible individuals. 50 U.S.C. app. 1989b–4. The Attorney General delegated these responsibilities and duties assigned to her to the Assistant Attorney General for Civil Rights, who, in keeping with precedent, has designated the Office of Redress Administration ("ORA") in the Civil Rights Division to carry out the responsibilities and duties mandated by the Act.

ORA is charged with identifying and locating persons who are eligible for redress under the Act. To date,

HeinOnline -- 62 Fed. Reg. 19928 1997