Nothing herein shall be construed to require actions contrary to applicable provisions of law. You are hereby authorized and directed to publish this memorandum in the **Federal Register.**

William J. Clinton

THE WHITE HOUSE,
Washington, August 11, 1993.

[FR Doc. 93–24114
Filed 9–27–93; 4:25 pm]
Billing code 4810–31–M

Editorial note: For the President's remarks on this policy, see vol. 29, page 1602 of the *Weekly Compilation of Presidential Documents.*

Presidential Documents

Memorandum of August 11, 1993

Gun Dealer Licensing

Memorandum for the Secretary of the Treasury

A major problem facing the Nation today is the ease with which criminals, the mentally deranged, and even children can acquire firearms. The gruesome consequences of this ready availability of guns is found in the senseless violence occurring throughout the country with numbing regularity. While there is not one solution to the plague of gun-related violence, there is more than sufficient evidence indicating that a major part of the problem involves the present system of gun dealer licensing, which encourages a flourishing criminal market in guns.

The Gun Control Act of 1968 established a licensing system for persons engaged in businesses of manufacturing, importing, and dealing in firearms. These licensees are allowed to ship firearms in interstate commerce among themselves, and are required to abide by State laws and local ordinances in their sale of firearms to non-licensees. They are also prohibited from selling firearms to felons, certain other classes of persons, and generally to out of state persons. This Act also established a comprehensive record-keeping system and authorized the Secretary to conduct inspections to ensure compliance with the Act. The statutory qualifications for a licensee are that the applicant is at least 21 years of age, is not a felon or other person prohibited from possessing firearms, has not willfully violated the Gun Control Act, and has premises from which he intends to conduct business. The license fee for a basic dealer's license is only $10 a year.

The minimal qualification standards of the statute, coupled with policies of neglect and opposition to legitimate regulatory efforts by past Administrations, leave us with a situation where in some ways we have made it easier to get a license to sell guns than it is to get and keep a driver's license. Today there are in excess of 287,000 Federal firearms licensees, and a great number of these persons probably should not be licensed. The Bureau of Alcohol, Tobacco and Firearms (ATF) estimates that only about 30 percent of these are bona fide storefront gun dealers. ATF estimates that probably 40 percent of the licensees conduct no business at all, and are simply persons who use the license to obtain the benefits of trading interstate and buying guns at wholesale. The remaining 30 percent of licensees engage in a limited level of business, typically out of private residences. While the Federal statute creates no minimum level of business activity to qualify for a license, many of the licensees in this category operate in violation of State and local licensing, taxing, and other business-related laws. Since the overall purpose of the Gun Control Act was to assist State and local gun control efforts, at the very least we need to coordinate the Federal licensing process with the appropriate State and local agencies.

This Administration is committed to doing more to prevent this criminal market in illegal guns from continuing to flourish. Since all new firearms used in crime have at some point passed through the legitimate distribution system, Federal firearms licenses represent the first line of defense in our efforts to keep guns out of the hands of criminals.

Accordingly, you have informed me that you will direct the Department of the Treasury and ATF to take whatever steps are necessary, to the extent

permitted by law, to ensure compliance with present licensing requirements, such as:

(a) improving the thoroughness and effectiveness of background checks in screening dealer license applicants;

(b) revising the application process to require the applicant to supply all information relevant to establishing qualification for a license, and to require more reliable forms of identification of the applicant, such as fingerprinting, to assist in identifying an applicant's criminal or other disqualifying history;

(c) making the "premises" requirement of the statute more meaningful by increasing field checks and the use of other procedures to verify compliance;

(d) increasing the scrutiny of licensees' multiple handgun sales reports and providing automated access to multiple sales report information by serial number for firearms trace purposes;

(e) requiring dealers to obtain more reliable identification from purchasers;

(f) reviewing sanctioning policies to determine the feasibility and desirability of adding the option of license suspension for certain violations;

(g) expanding the use of cooperative agreements with State and local law enforcement agencies to address licensing and trafficking problems;

(h) expanding ATF's capabilities to utilize effectively the firearms transaction records of out-of-business licensees for tracing purposes through the use of automation and other technology.

Acting pursuant to your statutory authority, you shall make such determinations and issue orders, regulations and rulings, as appropriate, to achieve the objectives stated in this memorandum.

I further direct that you initiate these actions as soon as possible and report your progress implementing these and other measures consistent with the foregoing to me within 90 days and annually thereafter.

All Executive agencies shall, to the extent permitted by law, cooperate with and assist you in carrying out the objectives of this memorandum. You shall consult with the Attorney General, the Director of National Drug Control Policy, and other Executive agencies as necessary to coordinate and implement the objective of this memorandum. To the maximum extent possible, the Attorney General, through the Office of Justice Programs, Bureau of Justice Assistance, will expand support to State and local agencies working with ATF on joint projects relating to licensing and trafficking in firearms. Nothing in this memorandum shall be construed to require actions contrary to applicable provisions of the law. You are hereby authorized and directed to publish this memorandum in the **Federal Register.**

William J. Clinton

THE WHITE HOUSE,
Washington, August 11, 1993.

[FR Doc. 93–24115
Filed 9–27–93; 4:26 pm]
Billing code 4810–31–M

Editorial note: For the President's remarks on this policy, see vol. 29, page 1602 of the *Weekly Compilation of Presidential Documents.*

Rules and Regulations

Federal Register
Vol. 58, No. 187
Wednesday, September 29, 1993

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Parts 103, 204 and 245

[INS No. 1450–93]

RIN 1115–AD05

Special Immigrant Status; Aliens Who Have Served Honorably (or Are Enlisted To Serve) in the Armed Forces of the United States for at Least 12 Years

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This final rule implements provisions of the Armed Forces Immigration Adjustment Act of 1991 relating to the special immigrant status under section 101(a)(27)(K) of the Immigration and Nationality Act (the Act) granted to a limited number of foreign nationals who have served honorably on active duty status in the Armed Forces of the United States. This rule also establishes procedures under section 245 of the Act for these special immigrants and certain family members in the United States to adjust their status to that of aliens lawfully admitted for permanent residence. This regulation is necessary to recognize the patriotism and valor of aliens who, by virtue of their military service, have clearly demonstrated a commitment to support and defend the Constitution and laws of the United States.

EFFECTIVE DATE: September 29, 1993.

FOR FURTHER INFORMATION CONTACT: Susan A. Dugas, Senior Immigration Examiner, Adjudications Branch, Immigration and Naturalization Service, 425 I Street, NW., room 7223, Washington, DC 20536, telephone (202) 514–5014.

SUPPLEMENTARY INFORMATION: The Armed Forces Immigration Adjustment Act of 1991, Public Law 102–110, enacted on October 1, 1991, amends the Immigration and Nationality Act to provide for special immigrant status for certain aliens who, pursuant to a bilateral international agreement or treaty, have served honorably (or are enlisted to serve) in the Armed Forces of the United States after October 15, 1978, and who apply for such status. Public Law 102–110 further requires that such service be after lawful enlistment outside the United States and be for a period of twelve years or, alternatively, for six years if the person has reenlisted for an additional six years. Nationals of the Philippines, the Federated States of Micronesia, and the Republic of the Marshall Islands are allowed to enlist in the United States Armed Forces each year; however, in the case of the latter two independent states, few of their nationals will have enlisted outside the United States, whereas most natives of the Philippines have to date enlisted in the Philippines.

The grant of special immigrant classification pursuant to Public Law 102–110 allows the intended beneficiaries of section 101(a)(27)(K) of the Immigration and Nationality Act to become eligible for an immigrant visa or adjustment of status to that of aliens lawfully admitted for residence. Generally, an applicant for such benefits must have served honorably for the required twelve years of active military duty and at least some part of that service must have occurred after October 15, 1978. However, an alien who is on active duty status at the time he or she is seeking special immigrant status under section 101(a)(27)(K) of the Act and who has served a total of six years of active duty needs only to establish, to the satisfaction of the Immigration and Naturalization Service (the Service), that he or she has reenlisted to incur a total active duty service obligation of at least twelve years. Public Law 102–110 also requires that the executive department of the Armed Forces under which the immigrant serves or served must have recommended the granting of special immigrant status to the immigrant.

On July 31, 1992, at 57 FR 33859–33862, the Service published an interim rule with request for comments, implementing provisions of Public Law 102–110. Comments were due by August 31, 1992.

The Service received two comments on the interim rule. These comments were reviewed and considered in finalizing this rule. The discussion which follows describes the comments and provides the Service's position on the issues and indicates any revisions made based on the comments received.

Allocation of Visa Numbers

The Service received one comment concerning the discussion of visa number allocations contained in the supplementary information to the interim rule. The supplementary information contained in the interim rule described the allocation of visa numbers for military special immigrants and their spouses and children, and indicated that visa issuance under this category of special immigrant would be "charged to the allocation of employment-based fourth preference visas provided by section 203(b)(4) of the Act for the following year." It was suggested that this explanation be changed to reflect broader flexibility in the allocation of visa numbers by the Department of State since visa numbers for aliens granted special immigrant status under section 101(a)(27)(K) of the Act may not come exclusively from the pool of employment-based fourth preference visas, due to necessary adjustments within the system.

It was suggested that the following language be used in the supplementary information to describe the visa number allocation for military special immigrants: "Once an alien is granted special immigrant status under section 101(a)(27)(K) of the Act, his or her visa issuance is charged to the allocation of employment-based visas for the following year." The Service acknowledges the comment, but since the comment addressed only the language in the supplementary information, the regulation was not amended as a result of the comment.

Where To File a Petition for Armed Forces Special Immigrant

One commenter suggested that the term "service office" listed in 8 CFR 204.9(a)(2) be changed to "Service Center". The commenter also suggested that 8 CFR 204.9(a)(2) be amended to include petitions submitted in conjunction with adjustment of status applications. The Service agrees that for efficiency and clarity, these changes

should be made and they will be incorporated into the final rule.

Use of Form I–824, Application for Action on an Approved Application or Petition

One commenter also suggested that 8 CFR 204.9(c)(3) be placed under 8 CFR 245.8 and that the word "petition" be replaced by the word "application". Since Form I–824 is for use in approved adjustment of status cases, the commenter felt that the word "petition" might cause confusion in the form's intended use. The Service agrees and has amended 8 CFR 204.9(c) and 8 CFR 245.8 accordingly.

Interview of the Applicant

One commenter suggested that the wording of 8 CFR 245.8(c) be changed regarding the director's effort to determine a military special immigrant's eligibility for naturalization benefits. The commenter suggested that the words "every effort" placed an undue burden on the Service and suggested the words "conscientious effort" be used instead.

The Service agrees that the language should be changed and has revised 8 CFR 245.8(c) to recognize the director's responsibility in making a *prima facie* determination regarding a military special immigrant's eligibility for naturalization benefits. This language now requires the director to make such a determination.

In accordance with 5 U.S.C. 605(b), the Commissioner of the Immigration and Naturalization Service certifies that this rule does not have a significant adverse economic impact on a substantial number of small entities. This rule is not a major rule within the meaning of section 1(b) of E.O. 12291, nor does this rule have Federalism implications warranting the preparation of a Federalism Assessment in accordance with E.O. 12612.

The information collection requirements contained in this regulation have been cleared by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act. Clearance numbers for these collections are contained in 8 CFR 299.5, Display of Control Numbers.

List of Subjects

8 CFR Part 103

Administrative practice and procedure, Authority delegations (Government agencies), Freedom of information, Privacy, Reporting and recordkeeping requirements, Surety bonds.

8 CFR Part 204

Administrative practice and procedure, Aliens, Immigration, Reporting and recordkeeping requirements.

8 CFR Part 245

Administrative practice and procedure, Aliens, Employment, Immigration, Passports and visas, Reporting and recordkeeping requirements.

Accordingly, the interim rule amending 8 CFR parts 103, 204, and 245 which was published at 57 FR 33859–33862 on July 31, 1992, is adopted as a final rule with the following changes:

PART 204—IMMIGRANT PETITIONS

1. The authority citation for part 204 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1186a, 1255; 8 CFR part 2.

2. In § 204.9 paragraph (a)(2) is revised to read as follows:

§ 204.9 Special immigrant status for certain aliens who have served honorably (or are enlisted to serve) in the Armed Forces of the United States for at least 12 years.

(a) * * *

(2) *Where to file.* The petition must be filed with the Service Center having jurisdiction over the place of the alien's current or intended place of residence in the United States, with the overseas Service office having jurisdiction over the alien's residence abroad, or in conjunction with 8 CFR 245.8.

* * * * *

3. In § 204.9 paragraph (c)(3) is removed and paragraph (c)(4) is redesignated as paragraph (c)(3).

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

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

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

5. Section 245.8 is amended by:

a. Revising the first sentence in paragraph (c);

b. Redesignating paragraphs (d) and (e) as paragraphs (e) and (f); and

c. Adding a new paragraph (d) to read as follows:

§ 245.8 Adjustment of status as a special immigrant under section 101(a)(27)(K) of the Act.

* * * * *

(c) *Interview of the applicant.* Upon completion of the adjustment of status interview for a special immigrant under section 101(a)(27)(K) of the Act, the director shall make a *prima facie* determination regarding eligibility for naturalization benefits if the applicant is to be granted status as an alien lawfully admitted for permanent residence.

* * *

(d) *Spouse or child outside the United States.* When a spouse or child of an alien granted special immigrant status under section 101(a)(27)(K) of the Act is outside the United States, the principal alien may file Form I–824, Application for Action on an Approved Application or Petition, with the office which approved the original application.

* * * * *

Dated: August 19, 1993.

Chris Sale,

Acting Commissioner, Immigration and Naturalization Service.

[FR Doc. 93–23840 Filed 9–28–93; 8:45 am]

BILLING CODE 4410–10–M

FEDERAL HOUSING FINANCE BOARD

12 CFR Part 933

[No. 93–75]

Members of the Federal Home Loan Banks

AGENCY: Federal Housing Finance Board.

ACTION: Final rule; information collection approval.

SUMMARY: The Federal Housing Finance Board ("Finance Board") is amending its final rule governing membership in the Federal Home Loan Bank System ("FHLBank System"), which was published at 58 FR 43522 (August 17, 1993), to include the assigned Office of Management and Budget ("OMB") control number in the regulatory text.

EFFECTIVE DATE: September 29, 1993.

FOR FURTHER INFORMATION CONTACT: Sharon B. Like, Attorney/Advisor, Office of Legal & External Affairs-Legal Division, (202) 408–2930, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006.

SUPPLEMENTARY INFORMATION: On August 17, 1993, the Finance Board published a final rule under 12 CFR part 933 on membership in the FHLBank System (58 FR 43522). OMB has approved the information collection requirements contained in §§ 932.2, 933.5, 933.9, 933.12, 933.13 and 933.18 of the final rule pursuant to the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35, and has assigned these collections OMB control number 3069–0004, expiration date August 31, 1996.

Under OMB's regulations implementing the Paperwork Reduction

Act, agency regulations containing information collection requirements that are published in the **Federal Register** also must publish the OMB control number as part of the regulatory text or as a technical amendment. See 5 CFR 1320.7(e)(2). The Finance Board, by this technical amendment, revises the applicable sections of the Finance Board's final membership rule to include the assigned OMB control number in the regulatory text.

List of Subjects in 12 CFR Part 933

Federal home loan banks, Reporting and recordkeeping requirements.

Accordingly, title 12, chapter IX, subchapter B of the Code of Federal Regulations is hereby amended as follows:

PART 933—MEMBERS OF THE FEDERAL HOME LOAN BANKS

1. The authority citation for part 933 continues to read as follows:

Authority: 12 U.S.C. 1422a, 1422b, 1424, 1426, 1430, 1442.

§§ 933.2, 933.5, 933.9, 933.12, 933.13, 933.18 [Amended]

2. Sections 933.2, 933.5, 933.9, 933.12, 933.13 and 933.18 are amended by adding the parenthetical "(The information collection requirements contained in this section have been approved where applicable by the Office of Management and Budget under control number 3069–0004.)" at the end of each section.

Dated: September 22, 1993.

By the Federal Housing Finance Board.

Philip L. Conover,

Managing Director.

[FR Doc. 93–23791 Filed 9–28–93; 8:45 am]

BILLING CODE 6725–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 93–ANE–10; Amendment 39–8694; AD 93–19–01]

Airworthiness Directives; Dowty Rotol (Now Dowty Aerospace Gloucester Ltd.) Propeller Models (c)R354/4–123–F/13, (c)R354/4–123–F/20, and (c)R375/4–123–F/21

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Dowty Rotol (now Dowty Aerospace Gloucester Ltd.) Propeller Model (c)R354/4–123–F/13 series, that currently requires a torque check of the propeller retention bolts for low torque; a magnetic particle inspection of the propeller retention bolts for cracks, and dye penetrant, ultrasonic, and eddy current inspections of the propeller hub backface for cracks. This amendment requires inspections of additional model propellers, requires installation of an interface shim, and increases the repetitive inspection interval from 500 to 1500 hours time in service (TIS). This amendment is prompted by new test data and results of world-wide fleet operator service usage inspections. The actions specified by this AD are intended to prevent possible loss of the propeller.

DATES: Effective on October 29, 1993.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 29, 1993.

ADDRESSES: The service information referenced in this AD may be obtained from Dowty Aerospace Gloucester Ltd., Anson Business Park, Cheltenham Road East, Gloucester GL2 9QN England. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA 01803–5299; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Francis X. Walsh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, Massachusetts 01803–5299, telephone (617) 238–7158; fax (617) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations by superseding AD 87–21–51, Amendment 39–5929 (53 FR 25139, July 5, 1988), which is applicable to Dowty Rotol (now Dowty Aerospace Gloucester Ltd.) Propeller Model (c)R354/4–123–F/13, installed on SAAB-SF340A and SAAB-SF340B series aircraft, was published in the **Federal Register** on June 21, 1993 (58 FR 33783). That action proposed to require torque checks of the propeller retention bolts for low torque magnetic particle inspections of the propeller retention bolts for cracks; dye penetrant, ultrasonic, and eddy current inspections of the hub backface for cracks; on Dowty Aerospace Gloucester Ltd., Model Number (c)R354/4–123–F/13, and the following additional propeller models: Dowty Aerospace Gloucester Ltd. Model Numbers (c)R354/4–123–F/20 and (c)R375/4–123–F/21. That AD also proposed to require installation of an interface shim (Dowty Aerospace Gloucester Ltd. Modification (C) VP3336), and increase the repetitive inspection interval from 500 to 1500 hours time in service (TIS).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comment received.

One comment concurs with the rule as proposed.

After careful review of the available data, including the comment noted above, the Federal Aviation Administration (FAA) has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 268 Dowty Aerospace Gloucester Ltd., Models (c)R354/4–123–F/13, (c)R354/4–123–F/20, and (c)R375/4–123–F/21 propellers of the affected design installed on SAAB-SF340, and SAAB-SF340B series aircraft of U.S. registry will be affected by this AD, that it will take approximately 8 work hours per propeller to accomplish the proposed actions, and that the average labor rate is $55 per work hour. Required parts will cost approximately $35 per propeller. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $127,300.

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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**