



Federal Register

**Monday,
October 31, 2005**

Part XIV

Department of State

Semiannual Regulatory Agenda

DEPARTMENT OF STATE (STATE)

DEPARTMENT OF STATE

22 CFR Ch. I

[Public Notice 5159]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Department of State.

ACTION: Semiannual regulatory agenda.

SUMMARY: Consistent with the Regulatory Flexibility Act of 1980, 5 U.S.C. 602, and OMB guidance to the Department of State pursuant to Executive Order 12866, the fall 2005 regulatory agenda of the Department of State is set forth below. The purpose of this publication is to provide information to the public on the Department's regulatory plans.

FOR FURTHER INFORMATION CONTACT: Bernard L. Seward, Jr., Attorney Adviser for Legislation and General Management, Office of the Legal Adviser, Department of State, Room 3422, 2201 C Street NW., Washington, DC 20520, telephone (202) 647-2318.

Dated: September 2, 2005.

Henrietta H. Fore,
Under Secretary of State for Management.

Department of State—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2139 | Child Status Protection Act Beneficiaries | 1400-AB87 |
| 2140 | Documentation of Immigrant and Nonimmigrant Visas—Fingerprint Requirements | 1400-AB88 |
| 2141 | National Security Information Regulations | 1400-AB91 |
| 2142 | Department of State Acquisition Regulation (DOSAR) | 1400-AB98 |
| 2143 | Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended—Air Transit Program .. | 1400-AC02 |
| 2144 | Documents Required for Travel Within the Western Hemisphere | 1400-AC10 |
| 2145 | Exchange Visitor Program, Secondary Students | 1400-AC13 |

Department of State—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2146 | Hague Intercountry Adoption Convention Implementation | 1400-AA88 |
| 2147 | Student Exchange Visitor Information System (SEVIS) Rule | 1400-AB45 |
| 2148 | Uncertified Foreign Health Care Workers | 1400-AB68 |
| 2149 | Hague Intercountry Adoption Preservation of Convention Records | 1400-AB69 |
| 2150 | Documentation of Immigrants Under the Immigration and Nationality Act—Electronic Petition for Diversity Immigrant Status | 1400-AB84 |
| 2151 | Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended—Professionals Under the North American Free Trade Agreement | 1400-AB89 |
| 2152 | Department of State Acquisition Regulation (DOSAR) | 1400-AB90 |
| 2153 | Electronic Passport | 1400-AB93 |
| 2154 | Amendment to the International Traffic in Arms Regulations: Registration Fee Change | 1400-AB97 |
| 2155 | International Trafficking in Persons: Interagency Sharing of Information and Coordination of Activities | 1400-AC00 |
| 2156 | Exchange Visitor Program; Professor and Research Scholars | 1400-AC01 |
| 2157 | Aliens Inadmissible Under the Immigration and Nationality Act—Unlawful Voters | 1400-AC04 |
| 2158 | Documentation of Nonimmigrants Under the Immigration Act, as Amended: Border Crossing Cards | 1400-AC06 |
| 2159 | Visas—Documentation of Immigrants: Fifth Preference—Employment-Creation Immigrants | 1400-AC08 |
| 2160 | New Amendment to Passport Regulation | 1400-AC11 |
| 2161 | Visas: Treaty Trader, Treaty Investor, or Treaty Alien in Specialty Occupation | 1400-AC12 |

Department of State—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|------------------------------------|------------------------------|
| 2162 | Amendments to 22 CFR part 53 | 1400-AC07 |

Department of State (STATE)

Proposed Rule Stage

2139. CHILD STATUS PROTECTION ACT BENEFICIARIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1104

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The rule implements the Child Status Protection Act of 2002. The Act helps protect certain immigrant visa applicants from being denied immigration benefits due to their reaching the age of 21 and because of delays in legacy INS petition approval and adjustment processing. If an alien is eligible for relief after reaching age 21, his/her age is frozen throughout the pendency of his/her case. The rule sets forth the special formulas for calculating an alien's age for immigrant visa processing purposes.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ronald L. Acker, Lead Visa Specialist, Department of State, 2401 E Street NW, Washington, DC 20522

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RIN: 1400-AB87

2140. DOCUMENTATION OF IMMIGRANT AND NONIMMIGRANT VISAS—FINGERPRINT REQUIREMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1104

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The rule announces the Department's intention to fingerprint certain immigrant and nonimmigrant visa applicants. Pursuant to section 303 of the Enhanced Border Security and Visa Entry Reform Act, the Secretary of State will issue to aliens only machine-readable, tamper-resistant visas and travel and entry documents that use biometric identifiers.

Fingerprints will be taken for the purpose of establishing a pilot program for meeting the biometric requirement. 22 CFR 41.105 authorizes consular officers to fingerprint visa applicants if the officer considers that necessary for the purposes of investigation or identification.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ronald L. Acker,

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RIN: 1400-AB88

2141. NATIONAL SECURITY INFORMATION REGULATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: EO 12958, as amended

CFR Citation: 22 CFR 9

Legal Deadline: None

Abstract: The rule will revise the regulations governing the classification of national security information under the control of the Department in order to reflect the provisions of E.O. 12958, as amended by E.O. 13292 (March 25, 2003), on national security information.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nicholas M. Murphy,

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RIN: 1400-AB91

2142. DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR)

Priority: Substantive, Nonsignificant

Legal Authority: PL 93-400; PL 83-96

CFR Citation: 48 CFR 8

Legal Deadline: None

Abstract: This rule will update the DOSAR to keep it current with changes to the Federal Acquisition Regulation.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gladys G. Gines,

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RIN: 1400-AB98

2143. DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED—AIR TRANSIT PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 8 USC 1104 and 1182; sec 7209(d) of PL 108-458; PL 105-277, 112 Stat 2681-795 through 2681-801

CFR Citation: 22 CFR 41.2(i)

Legal Deadline: None

Abstract: The proposed rule would create a new immediate and continuous transit program to replace the TWOV (Transit Without Visa) and ITI (International to International) transit programs that were indefinitely suspended by the Department of State and the Department of Homeland Security in August 2003. This rule proposes to terminate the former TWOV and ITI programs.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/06 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

STATE

Proposed Rule Stage

Agency Contact: Jill Nebel, Visa Specialist, Department of State, L-603, SA-1, 2401 E Street NW, Washington, DC 20520
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 Email: nebelj@state.gov
Related RIN: Related to 1651-AA50
RIN: 1400-AC02

2144. ● DOCUMENTS REQUIRED FOR TRAVEL WITHIN THE WESTERN HEMISPHERE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 108-458

CFR Citation: 22 CFR 41.2; 22 CFR 53.2

Legal Deadline: None

Abstract: Amendment to require U.S. citizens who previously were exempt from presenting a passport or other authorized travel documents to present such documents that denote identity and citizenship when entering the United States.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Sharon E. Palmer-Royston, Attorney-Adviser, Department of State, Suite 260, Passport Policy and Advisory Services, 2100 Pennsylvania Avenue NW, 3rd Floor, Washington, DC 20037-1705
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 Email: palmer-roystonse@state.gov

Related RIN: Previously reported as 1400-AC07

RIN: 1400-AC10

2145. ● EXCHANGE VISITOR PROGRAM, SECONDARY STUDENTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Mutual Educational and Cultural Act of 1961, PL 87-256, 22 USC 2457, et seq; sec 102 of the Act, 22 USC 2452; sec 101(c)(15)(S) of the Immigration & Nationality Act, 8 USC 1101(c)(15)(J)

CFR Citation: 22 CFR 62.25

Legal Deadline: None

Abstract: This rule amends Department regulations set forth at 22 CFR 62.25 to impose new program administration requirements.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 10/00/05 | |
| NPRM Comment Period End | 12/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, Bureau of Educational and Cultural Affairs, 301 4th Street SW, Washington, DC 20547
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RIN: 1400-AC13

Department of State (STATE)

Final Rule Stage

2146. HAGUE INTERCOUNTRY ADOPTION CONVENTION IMPLEMENTATION

Priority: Other Significant

Legal Authority: 42 USC 14901 to 14954

CFR Citation: 22 CFR 96

Legal Deadline: None

Abstract: Regulations will implement accreditation aspects of the Hague Convention for the Protection of Children and Cooperation in Respect of Intercountry Adoption and its implementing legislation.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/15/03 | 68 FR 54064 |
| NPRM Comment Period End | 11/14/03 | |
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Anna Mary Coburn, Office of Policy Review and Interagency Liaison, Bureau of Consular Affairs, Department of State, 2201 C Street NW, Washington, DC 20520
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RIN: 1400-AA88

2147. STUDENT EXCHANGE VISITOR INFORMATION SYSTEM (SEVIS) RULE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 8 USC 1101(a)(15)(j), 1182, 1184, 1258; 22 USC 1431 to 1442, 1475e, 2451 to 2460; Foreign Affairs Reform and Restructuring Act, PL 105-277, 112 Stat 2681 et seq; Reorganization Plan No 2 of 1977, 3 CFR 1977 Comp, p 200; EO 12048 of

March 27, 1978, 3 CFR, 1978 Comp, p 168

CFR Citation: 22 CFR 62, subpart F

Legal Deadline: None

Abstract: The Department is amending its Exchange Visitor Program regulations to facilitate the requirements established by section 641 of Public Law 104-208 (as amended) for the Legacy INS Student and Exchange Visitor Program (SEVP).

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 12/12/02 | 67 FR 76307 |
| Interim Final Rule Comment Period End | 01/13/03 | |
| Final Action | 12/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: Undetermined

STATE

Final Rule Stage

Agency Contact: Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, Bureau of Educational and Cultural Affairs, 301 4th Street SW, Washington, DC 20547
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RIN: 1400-AB45

2148. UNCERTIFIED FOREIGN HEALTH CARE WORKERS

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1104

CFR Citation: 22 CFR 40.53

Legal Deadline: None

Abstract: This regulation outlines requirements for foreign health care workers.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 12/17/02 | 67 FR 77158 |
| Interim Final Rule Effective | 12/17/02 | |
| Interim Final Rule Comment Period End | 02/18/03 | |
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1400-AB68

2149. HAGUE INTERCOUNTRY ADOPTION PRESERVATION OF CONVENTION RECORDS

Priority: Other Significant

Legal Authority: 42 USC 14901 to 14954

CFR Citation: 22 CFR 98

Legal Deadline: None

Abstract: Regulation to implement preservation of records requirements under the Intercountry Adoption Act of 2000.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/15/03 | 68 FR 54119 |
| NPRM Comment Period End | 11/14/03 | |
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 1400-AB69

2150. DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT—ELECTRONIC PETITION FOR DIVERSITY IMMIGRANT STATUS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1104

CFR Citation: 22 CFR 42.33

Legal Deadline: None

Abstract: This rule changes the manner in which aliens may petition for the opportunity to participate in the Diversity Visa Program from a standard mail-in system to an entirely electronic system utilizing a specifically designated Internet website.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 08/18/03 | 68 FR 49353 |
| Interim Final Rule Comment Period End | 10/17/03 | |
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ronald L. Acker, Lead Visa Specialist, Department of State, 2401 E Street NW, Washington, DC 20522
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RIN: 1400-AB84

2151. DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED—PROFESSIONALS UNDER THE NORTH AMERICAN FREE TRADE AGREEMENT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: North American Free Trade Agreement, PL 103-182

CFR Citation: 22 CFR 41.59

Legal Deadline: None

Abstract: Consistent with NAFTA requirements, this amendment removes limitations on the number of Mexicans who may enter the United States as nonimmigrant professionals.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 11/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ronald L. Acker, Lead Visa Specialist, Department of State, 2401 E Street NW, Washington, DC 20522

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RIN: 1400-AB89

2152. DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR)

Priority: Other Significant

Legal Authority: PL 93-400; PL 96-83

CFR Citation: 48 CFR 6

Legal Deadline: None

Abstract: This rule will update the DOSAR with respect to Defense Base Act coverage, as well as make other editorial changes.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/22/04 | 69 FR 76660 |
| NPRM Comment Period End | 02/22/05 | |
| Final Action | 10/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

STATE

Final Rule Stage

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RIN: 1400-AB90

2153. ELECTRONIC PASSPORT

Priority: Other Significant

Legal Authority: 22 USC 211a, 213, 2651a, 2671(d)(3), 2714, 3926; 31 USC 9701; EO 11295; 18 USC 1621(a)(2)

CFR Citation: 22 CFR 51

Legal Deadline: None

Abstract: 22 CFR part 51 will be amended to include language governing the issuance of the new electronically readable U.S. passports.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/18/05 | 70 FR 8305 |
| NPRM Comment Period End | 04/04/05 | |
| Final Action | 10/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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Email: palmer-roystonse@state.gov

Related RIN: Related to 1400-AC11

RIN: 1400-AB93

2154. AMENDMENT TO THE INTERNATIONAL TRAFFIC IN ARMS REGULATIONS: REGISTRATION FEE CHANGE

Priority: Routine and Frequent

Legal Authority: 22 USC 2776

CFR Citation: 22 CFR 122; 22 CFR 129

Legal Deadline: Final, Statutory, February 15, 2005.

Abstract: This regulation increases the registration fees listed at 22 CFR part

122 of the International Traffic in Arms Regulations, and changes the maximum registration period from 4 to 2 years. It also makes certain minor administrative and technical changes to 22 CFR parts 122 and 129 (e.g., updating the number of the registration form referenced in those parts).

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 12/08/04 | 69 FR 70888 |
| Interim Final Rule Comment Period End | 01/07/05 | |
| Final Action | 12/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mary F. Sweeney, Munitions Control Analyst, Department of State, 2401 E Street NW, 12th Floor, Washington, DC 20522
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RIN: 1400-AB97

2155. INTERNATIONAL TRAFFICKING IN PERSONS: INTERAGENCY SHARING OF INFORMATION AND COORDINATION OF ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: Trafficking Victims Protection Reauthorization Act of 2003 (PL 108-193); EO 13333 of March 18, 2004

CFR Citation: Not Yet Determined

Legal Deadline: NPRM, Statutory, March 18, 2004.

Abstract: This regulation will outline how agencies represented on the President's Interagency Task Force and Combat Trafficking in Persons will share information regarding implementation of the Trafficking Victims Protection Act of 2000, as amended, as well as information on matters relating to grants, grant policies, and certain other actions regarding the international trafficking in persons.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 10/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Carla H. Menares-Bury, Senior Coordinator for International Programs, Department of State, 1800 G Street NW, SA-22, Suite 2148, Washington, DC 20006
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RIN: 1400-AC00

2156. EXCHANGE VISITOR PROGRAM; PROFESSOR AND RESEARCH SCHOLARS

Priority: Substantive, Nonsignificant

Legal Authority: Mutual Educational and Cultural Act of 1961, PL 87-256, 22 USC 2451, et seq (1988); sec 102 of the Act, 22 USC 2452; sec 101(c)(15)(J) of the Immigration and Nationality Act, 8 USC 1101 (c)(15)(J)

CFR Citation: 22 CFR 62.20

Legal Deadline: None

Abstract: This rule amends Department regulations set forth at 22 CFR 62.20 by extending the duration of program participation for professors and research scholars from the current 3 years to 5 years.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 06/27/02 | 67 FR 43264 |
| NPRM Comment Period End | 07/29/02 | |
| Final Action | 12/00/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

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RIN: 1400-AC01

STATE

Final Rule Stage

2157. ALIENS INADMISSIBLE UNDER THE IMMIGRATION AND NATIONALITY ACT—UNLAWFUL VOTERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: sec 201(b)(1), PL 106–395 as amended; 212(a)(10) INA; 212(a)(10)(d) INA

CFR Citation: 22 CFR 40.104

Legal Deadline: None

Abstract: This rule authorized by the Child Citizenship Act of 2000, Public Law 106-395, amends the Department's visa regulations by adding an exception to the grounds of inadmissibility for aliens who have voted in violation of U.S. law.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 06/21/05 | 70 FR 35526 |
| Interim Final Rule Effective | 07/21/05 | |
| Interim Final Rule Comment Period End | 10/21/05 | |
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: James R. Pritchett, Chief of Legislation and Regulation Division, Visa Services, Department of State, 2401 E Street NW, SA-1, Room 603, Washington, DC 20520
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RIN: 1400-AC04

2158. DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION ACT, AS AMENDED: BORDER CROSSING CARDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1104

CFR Citation: 22 CFR 41.32

Legal Deadline: None

Abstract: This rule amends the Department of State's regulation at 22 CFR 41.32 by requiring the presentation of Mexican Federal passports as a necessary condition for Mexican citizens applying for combined Border Crossing Cards (BCC) and B-1/B-2 visas

(laser visas). It also amends the regulation by removing the conditions under which certain beneficiaries of INA 212 (d) (3)(A) waivers of ineligibility could receive laser visas.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Charles Robertson, Visa Specialist (WAE), Department of State, L-603, SA-1, 2401 E Street NW, Washington, DC 20520
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RIN: 1400-AC06

2159. VISAS—DOCUMENTATION OF IMMIGRANTS: FIFTH PREFERENCE—EMPLOYMENT—CREATION IMMIGRANTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1153; PL 108-156; 117 Stat 1945

CFR Citation: 22 CFR 42.32

Legal Deadline: None

Abstract: This rule implements the Basic Pilot Program Extension and Expansion Act of 2003 (Pub. L. 108-156), which reinstates and extends the Illegal Immigration Reform and Immigrant Responsibility Act's employment eligibility verification program for 5 years with a new sunset date of November 2008. In addition, outdated references to the Immigration and Naturalization Service in 22 CFR 42.32 will be updated to reflect the role of the Department of Homeland Security.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 11/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara J. Kennedy, Visa Specialist, Department of State, L-603, SA-1, 2401 E Street NW, Washington, DC 20520

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RIN: 1400-AC08

2160. • NEW AMENDMENT TO PASSPORT REGULATION

Priority: Other Significant

Legal Authority: 22 USC 211a

CFR Citation: 22 CFR 51

Legal Deadline: None

Abstract: This rule amends the passport regulations to abolish the U.S. passport amendment process except for the convenience of the U.S. Government, enlarges the reasons for issuing a replacement passport at no fee, and adds unpaid fees as grounds for invalidating a passport.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 10/00/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Sharon E. Palmer-Royston, Attorney-Adviser, Department of State, Suite 260, Passport Policy and Advisory Services, 2100 Pennsylvania Avenue NW, 3rd Floor, Washington, DC 20037-1705
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Related RIN: Split from 1400-AB93

RIN: 1400-AC11

2161. • VISAS: TREATY TRADER, TREATY INVESTOR, OR TREATY ALIEN IN SPECIALTY OCCUPATION

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 22 CFR 41

Legal Deadline: None

Abstract: This rule expands the definition of treaty trader and treaty investor contained at 22 CFR 41.51 to create a new nonimmigrant category for nonimmigrant treaty aliens coming to the U.S. solely to perform services in a specialty occupation. It also reorganizes existing regulatory language pertaining to treaty traders and treaty investors to make this information clearer and easier to read.

STATE

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 10/00/05 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

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RIN: 1400-AC12

Department of State (STATE)

Long-Term Actions

2162. AMENDMENTS TO 22 CFR PART 53

Priority: Other Significant

CFR Citation: 22 CFR 41.2; 22 CFR 53.2

Timetable:

| Action | Date | FR Cite |
|--------|------------------|---------|
| ANPRM | To Be Determined | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

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Related RIN: Related to 1651-AA63, Related to 1400-AC10

RIN: 1400-AC07

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