



Federal Register

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Part XIV

Department of State

Semiannual Regulatory Agenda

DEPARTMENT OF STATE (STATE)

DEPARTMENT OF STATE

22 CFR Ch. I

[Public Notice 4287]

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 spring 2003 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.

Based on OMB's guidance, the Department of State prepared a streamlined submission for the spring 2003 Unified Agenda. The Department of State reviewed its fall 2002 submission closely and ascertained that certain items previously included may appropriately be withdrawn because: (1) The regulation is not likely to have a significant economic impact on a substantial number of small entities and/or (2) no substantive activity is anticipated within the coming year. In

certain instances, the Department of State determined that individual items may be of sufficient public interest to warrant retaining them in the Department of State's spring 2003 unified agenda submission even if doing so would not be required.

FOR FURTHER INFORMATION CONTACT: Jo Brooks, 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: April 10, 2003.

Grant S. Green Jr.,

Under Secretary of State for Management.

Department of State—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1848	Hague Intercountry Adoption Convention Implementation	1400-AA88
1849	Revision to Department of State Acquisition Regulation (DOSAR)	1400-AB06
1850	Cultural Exchange Program, Summer Work/Travel	1400-AB10

Department of State—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1851	Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, and Age in Programs and Activities Receiving Federal Financial Assistance	1400-AB17
1852	Student Exchange Visitor Information System (SEVIS) Rule	1400-AB45
1853	Elimination of Crew List Visas	1400-AB49
1854	Uncertified Foreign Health Care Workers	1400-AB68

Department of State—Completed Actions

Sequence Number	Title	Regulation Identification Number
1855	Addition of S Nonimmigrant Visa Classification	1400-AA91
1856	Documentation of Immigrants—International Broadcasters	1400-AB22
1857	Documentation of Immigrants—Issuance of New or Replacement Visas	1400-AB39
1858	Amendment to the U.S. Munitions List, Category XV—Spacecraft Systems and Associated Equipment	1400-AB54
1859	Amendment to the U.S. Munitions List, Categories V and XIV	1400-AB55
1860	Amendment to the U.S. Munitions List, Categories II, III, VII, XVI, and XVIII and Sections 123.20 and 123.27	1400-AB56
1861	Amendment to the U.S. Munitions List, Categories V and XIV	1400-AB60
1862	Bureau of Political-Military Affairs Amendments to the International Traffic in Arms Regulations: Canadian Exemption	1400-AB61
1863	Amendment to the International Traffic in Arms Regulations; General Authorities	1400-AB62

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Department of State—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1400-AA34	Foreign Prohibitions on Longshore Work by U.S. Nationals	04/10/2003	Withdrawn
1400-AA48	Transit Without Visa (TWOV)	04/10/2003	Withdrawn
1400-AA54	B-1 Visa Classification	04/10/2003	Withdrawn
1400-AA97	Nonimmigrant Visa Fees—UN Mission Observer Personnel	04/10/2003	Withdrawn
1400-AB11	Cultural Exchange Programs, Reinstatement	04/10/2003	Withdrawn
1400-AB14	Cultural Exchange Programs, Annual Reports	04/10/2003	Withdrawn
1400-AB18	Amendment to the ITAR: Offset Arrangements and Enhancements to Congressional Notifications	04/10/2003	Withdrawn
1400-AB21	Documentation of Nonimmigrants: Visa Waiver Program	05/07/2002	Withdrawn
1400-AB25	Documentation of Nonimmigrants: Spouses and Children of U.S. Citizens and Lawful Permanent Residents	04/10/2003	Withdrawn
1400-AB27	Documentation of Immigrants and Nonimmigrants Under the Immigration and Nationality Act, As Amended—Refusals of Individual Visas	04/10/2003	Withdrawn
1400-AB29	Students and Exchange Visitors—Fee Receipts	04/10/2003	Withdrawn
1400-AB32	Grounds of Inadmissibility	04/10/2003	Withdrawn
1400-AB35	Documentation of Nonimmigrants—Classification of Spouses of Foreign Diplomats	04/10/2003	Withdrawn
1400-AB36	Documentation of Nonimmigrants—Automatic VISA Revalidation	04/10/2003	Withdrawn
1400-AB37	Documentation of Nonimmigrants and Immigrants Access to Criminal History; Sharing Data Records	04/10/2003	Withdrawn
1400-AB38	Documentation of Immigrants—Immediate Relatives	04/10/2003	Withdrawn
1400-AB40	ITAR Exemptions for U.S. Institutions of Higher Learning	04/29/2003	Withdrawn
1400-AB43	Removal of Visa and Passport Waiver for Certain Permanent Residents of Canada and Bermuda	04/10/2003	Withdrawn
1400-AB46	New Nonimmigrant U Visa Classification	04/10/2003	Withdrawn
1400-AB47	Visa—Admissibility for Victims of Trafficking in Persons	04/10/2003	Withdrawn
1400-AB48	Visa—Inadmissibility for Traffickers in Persons	04/10/2003	Withdrawn
1400-AB50	Visa—Transitional Foreign Student Monitoring Program	04/10/2003	Withdrawn
1400-AB51	Visa—Expanded Definition of Child	04/10/2003	Withdrawn
1400-AB52	Q-2 Visas for Irish Nationals Participating in Special Work/Training Programs	04/10/2003	Withdrawn
1400-AB53	International Organization Employees—INTELSAT Employees	04/10/2003	Withdrawn

Department of State (STATE)

Proposed Rule Stage

1848. HAGUE INTERCOUNTRY ADOPTION CONVENTION IMPLEMENTATION**Priority:** Other Significant**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**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
NPRM	06/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Edward A. Betancourt, Director, Office of Policy Review and Interagency Liaison, Department of State, Bureau of Consular Affairs, 2201 C Street NW, Washington, DC 20520-5816
Phone: 202 312-9723
Fax: 202 312-9744

RIN: 1400-AA88**1849. REVISION TO DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR)****Priority:** Info./Admin./Other**Legal Authority:** PL 93-400; PL 96-83**CFR Citation:** 48 CFR 6**Legal Deadline:** None

Abstract: This revision to the DOSAR will make minor changes to conform the DOSAR to continuing changes in the Federal Acquisition Regulation (FAR).

Timetable:

Action	Date
NPRM	06/00/03
Final Action	09/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Federal

Agency Contact: Gladys G. Gines, Procurement Analyst, Office of the Procurement Executive, Department of State, SA-6, Room 603, Washington, DC 20522-0602
Phone: 703 516-1691

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Proposed Rule Stage

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 RIN: 1400-AB06

1850. CULTURAL EXCHANGE PROGRAM, SUMMER WORK/TRAVEL

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1101(2)(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 62.32

Legal Deadline: None

Abstract: The Department is adopting specific regulations governing participation in summer work/travel programs conducted by Department-designated sponsors pursuant to Public Law 105-277. These regulations supersede program guidelines promulgated by the USIA and published at 61 FR 13760 (March 28, 1996).

Timetable:

Action	Date
NPRM	08/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 3116-AA16.

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
 Phone: 202 401-9810
 Fax: 202 401-9809
 Email: scolvin@pd.state.gov.

RIN: 1400-AB10

Department of State (STATE)

Final Rule Stage

1851. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250

CFR Citation: 22 CFR 141 to 143

Legal Deadline: None

Abstract: The Department of State participated with 21 other Federal agencies to amend regulations implementing title VI of the Civil Rights Act of 1964 (title VI), section 504 of the Rehabilitation Act of 1972 (section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to title VI, section 504, and the Age Discrimination Act. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes.

Timetable:

Action	Date
NPRM	12/06/00 65 FR 76460

Action	Date
NPRM Comment Period End	01/05/01
Final Action	12/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gloria J. Jackson, EEO Manager for Compliance Programs, Department of State, S/EEOCR; Room 4216, 2201 C Street NW, Washington, DC 20520
 Phone: 202 647-9897
 Fax: 202 647-4969
 Email: jacksongj@state.gov

RIN: 1400-AB17

1852. 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 62.15

Legal Deadline: None

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

the INS Student and Exchange Visitor Program (SEVP).

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: Undetermined

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
 Phone: 202 401-9810
 Fax: 202 401-9809
 Email: scolvin@pd.state.gov.

RIN: 1400-AB45

1853. ELIMINATION OF CREW LIST VISAS

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1101(a)(15)(D); 8 USC 1201(f)

CFR Citation: 22 CFR 41.42

Legal Deadline: None

Abstract: Rule proposes to eliminate crew list visas.

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Final Rule Stage

Timetable:

Action	Date
NPRM	12/13/02 67 FR 76711
NPRM Comment Period End	02/11/03
Final Action	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: H. Edward Odom, Chief, Legislation and Regulations Division, Visa Office, Department of State, SA-1, Room L603-C, 2401 E Street NW, Washington, DC 20520-0106
Phone: 202 663-3844
Fax: 202 663-3898

Email: odomhe@state.gov

RIN: 1400-AB49

1854. • 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
Interim Final Rule	12/17/02 67 FR 77158
Interim Final Rule Effective	12/17/02

Action	Date
Interim Final Rule Comment Period End	02/18/03
Final Action	06/00/03

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: H. Edward Odom, Chief, Legislation and Regulations Division, Visa Office, Department of State, SA-1, Room L603-C, 2401 E Street NW, Washington, DC 20520-0106
Phone: 202 663-3844
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RIN: 1400-AB68

Department of State (STATE)

Completed Actions

1855. ADDITION OF S NONIMMIGRANT VISA CLASSIFICATION

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 41.83

Completed:

Reason	Date
Final Action	11/04/02 67 FR 67108

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: H. Edward Odom
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RIN: 1400-AA91

Email: odomhe@state.gov

RIN: 1400-AB22

1857. DOCUMENTATION OF IMMIGRANTS—ISSUANCE OF NEW OR REPLACEMENT VISAS

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 42.72(b)

Completed:

Reason	Date
Final Action	03/20/03 68 FR 13627

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stephen K. Fischel
Phone: 202 663-1204
Fax: 202 663-3898
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RIN: 1400-AB39

Government Levels Affected: Federal

Agency Contact: Mary Frances Sweeney
Phone: 202 663-2865
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RIN: 1400-AB54

1859. AMENDMENT TO THE U.S. MUNITIONS LIST, CATEGORIES V AND XIV

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 121

Completed:

Reason	Date
Final Action	11/27/02 67 FR 70839

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Mary Frances Sweeney
Phone: 202 663-2865
Fax: 202 261-8199

Related RIN: Related To 1400-AB60

RIN: 1400-AB55

1856. DOCUMENTATION OF IMMIGRANTS—INTERNATIONAL BROADCASTERS

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 42.32(d)(8)

Completed:

Reason	Date
Final Action	09/26/02 67 FR 60562

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: H. Edward Odom
Phone: 202 663-3844
Fax: 202 663-3898

1858. AMENDMENT TO THE U.S. MUNITIONS LIST, CATEGORY XV—SPACECRAFT SYSTEMS AND ASSOCIATED EQUIPMENT

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 121

Completed:

Reason	Date
Final Action	09/23/02 67 FR 59733

Regulatory Flexibility Analysis Required: No

1860. AMENDMENT TO THE U.S. MUNITIONS LIST, CATEGORIES II, III, VII, XVI, AND XVIII AND SECTIONS 123.20 AND 123.27

Priority: Substantive, Nonsignificant

CFR Citation: 22 CFR 121; 22 CFR 123

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Completed Actions

Completed:

Reason	Date
Final Action	09/19/02 67 FR 58984

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

Agency Contact: Mary Frances Sweeney
 Phone: 202 663-2865
 Fax: 202 261-8199

RIN: 1400-AB56**1861. AMENDMENT TO THE U.S. MUNITIONS LIST, CATEGORIES V AND XIV****Priority:** Substantive, Nonsignificant**CFR Citation:** 22 CFR 121**Completed:**

Reason	Date
Final Action	11/27/02 67 FR 70839

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

Agency Contact: Mary Frances Sweeney
 Phone: 202 663-2865
 Fax: 202 261-8199

Related RIN: Related To 1400-AB55**RIN:** 1400-AB60**1862. • BUREAU OF POLITICAL-MILITARY AFFAIRS AMENDMENTS TO THE INTERNATIONAL TRAFFIC IN ARMS REGULATIONS: CANADIAN EXEMPTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 22 CFR 2778**CFR Citation:** 22 CFR 126**Legal Deadline:** None

Abstract: This rule clarifies the Canadian Exemption at the International Traffic in Arms Regulations (ITAR) as to how the Department of State will identify Canadian Crown Corporations as authorized end-users.

Timetable:

Action	Date
Final Action	12/26/02 67 FR 78685

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal

Agency Contact: Mary Frances Sweeney, Munitions Control Analyst, Department of State, 12th Floor, 2401 E Street NW, Washington, DC 20522-0112

Phone: 202 663-2865

Fax: 202 261-8199

RIN: 1400-AB61**1863. • AMENDMENT TO THE INTERNATIONAL TRAFFIC IN ARMS REGULATIONS; GENERAL AUTHORITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 22 USC 2778**CFR Citation:** 22 CFR 120**Legal Deadline:** Final, Statutory, February 14, 2003.

Abstract: This regulation amends the ITAR, which implements section 38 of the Arms Export Control Act (AECA), that governs the import and export of defense articles and defense services. The regulation reflects the changed authorities as a result of the realignment of responsibilities for defense trade controls.

Timetable:

Action	Date
Final Action	02/14/03 68 FR 7417

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: Mary Frances Sweeney, Munitions Control Analyst, Department of State, 12th Floor, 2401 E Street NW, Washington, DC 20522-0112

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RIN: 1400-AB62

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