

# Federal Register

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Friday  
November 29, 1996

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Part XI

## Department of Justice

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Semiannual Regulatory Agenda

**DEPARTMENT OF JUSTICE (DOJ)**

**DEPARTMENT OF JUSTICE**

**8 CFR Ch. I**

**21 CFR Ch. I**

**28 CFR Ch. I**

**Regulatory Agenda**

**AGENCY:** Department of Justice.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The Department of Justice is publishing its October 1996 regulatory agenda pursuant to E.O. 12866 "Regulatory Planning and Review," 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. sections 601-612 (1988).

**FOR FURTHER INFORMATION CONTACT:** Robert Hinchman, Office of Policy Development, Department of Justice, Room 4258, 950 Pennsylvania Avenue NW., Washington, DC 20530, (202) 514-8059.

**SUPPLEMENTARY INFORMATION:** For this edition of the Department of Justice's

regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

Dated: October 7, 1996.  
Eleanor D. Acheson,  
*Assistant Attorney General, Office of Policy Development.*

**Bureau of Prisons—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1945	Postsecondary Education Programs .....	1120-AA25
1946	Correspondence: Pretrial Inmates .....	1120-AA52
1947	Federal Prison Industries (FPI) Work Program: Deportation Orders .....	1120-AA57
1948	Inmate Legal Activities and Inmate Personal Property .....	1120-AA58

**Bureau of Prisons—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1949	Volunteer Community Service Projects .....	1120-AA03
1950	Intensive Confinement Centers .....	1120-AA11
1951	Research .....	1120-AA14
1952	Incoming Publications/Inmate Legal Activities .....	1120-AA15
1953	Religious Beliefs and Practices .....	1120-AA17
1954	English as a Second Language Program .....	1120-AA19
1955	Release of Information .....	1120-AA21
1956	Infectious Diseases .....	1120-AA23
1957	Fines and Costs .....	1120-AA29
1958	Birth Control, Pregnancy, Child Placement, Abortion .....	1120-AA31
1959	Literacy Program .....	1120-AA33
1960	Inmate Discipline (Good Conduct Time) .....	1120-AA34
1961	Postsecondary Education Programs .....	1120-AA35
1962	Drug Abuse Treatment Programs: Early Release Consideration .....	1120-AA36
1963	Telephone Regulations and Inmate Financial Responsibility .....	1120-AA39
1964	Unescorted Transfers and Voluntary Surrenders .....	1120-AA45
1965	Inmate Personal Property .....	1120-AA46
1966	Scope of Rules: National Security Considerations .....	1120-AA47
1967	Correspondence: Restricted Special Mail Procedures .....	1120-AA48
1968	Telephone Regulations and Inmate Financial Responsibility .....	1120-AA49
1969	Federal Prison Industries (FPI) Work Program .....	1120-AA50
1970	Transfer of Inmates to State Agents for Production on State Writs .....	1120-AA53
1971	Scope of Rules: Prevention of Acts of Violence and Terrorism .....	1120-AA54

**Bureau of Prisons—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
1972	Plastic Surgery .....	1120-AA26
1973	Special Food .....	1120-AA37

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## Bureau of Prisons—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1974	Use of Force .....	1120-AA41
1975	Inmate Organizations .....	1120-AA42
1976	Central Inmate Monitoring .....	1120-AA43
1977	Education Tests: Minimum Standards for Administration, Interpretation, and Use .....	1120-AA44
1978	Release Preparation Program .....	1120-AA51
1979	Hostage Situation Management .....	1120-AA55
1980	Editorial Amendments .....	1120-AA56

## Civil Rights Division—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1981	Nondiscrimination on the Basis of Disability in State and Local Government Services; Public Accommodations and Commercial Facilities; Accessibility Standards ( <b>Reg Plan Seq. No. 50</b> ) .....	1190-AA26
1982	Nondiscrimination on the Basis of Disability in State and Local Government Services .....	1190-AA36
1983	Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities; Children's Facilities .....	1190-AA38
1984	Redress Provisions for Persons of Japanese Ancestry: Guidelines under <i>Ishida v. United States</i> .....	1190-AA40

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Civil Rights Division—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1985	Nondiscrimination on the Basis of Sex in Federally Assisted Programs and Activities—Implementation of Title IX of the Education Amendments of 1972 .....	1190-AA28
1986	Amendment to Nondiscrimination in Federally Assisted Programs and Activities—Implementation of Title VI of the Civil Rights Act of 1964 .....	1190-AA31
1987	Amendment to Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964 .....	1190-AA32
1988	Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, As Amended .....	1190-AA35
1989	Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups .....	1190-AA39

## Civil Rights Division—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1990	Procedures for Complaints of Employment Discrimination Filed Against Recipients of Federal Financial Assistance; Rescission of Limitation on Participation of the Department of Education .....	1190-AA30
1991	Unfair Immigration-Related Employment Practices .....	1190-AA33
1992	Redress Provisions for Persons of Japanese Ancestry: Guidelines for Individuals Who Relocated to Japan as Minors During World War II .....	1190-AA42
1993	Americans with Disabilities Act Accessibility Guidelines; Detectable Warnings .....	1190-AA43

## Drug Enforcement Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1994	Guidelines for Providing Controlled Substances to Ocean Vessels .....	1117-AA40

**DOJ****Drug Enforcement Administration—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1995	Removal of Restrictions on Employing Certain Individuals .....	1117-AA28
1996	Exemption of Chemical Mixtures .....	1117-AA31
1997	Diversion Control Fee Account .....	1117-AA34
1998	Establishment of Freight Forwarding Facilities .....	1117-AA36
1999	Exemption From Import/Export Requirements for Personal Medical Use .....	1117-AA38
2000	Separate Registrations for Separate Locations .....	1117-AA39
2001	Restriction of Import/Export Requirements for Personal Medical Use .....	1117-AA41

**Drug Enforcement Administration—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
2002	Prescriptions for Controlled Substances, Requirements for Use of Automated Data Processing Systems .....	1117-AA03
2003	Definition and Registration of Disposers .....	1117-AA19
2004	Consolidation, Elimination, and Clarification of Various Regulations .....	1117-AA33

**Drug Enforcement Administration—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
2005	Reporting on Psychotropic Substances .....	1117-AA22
2006	Removal of Exemption for Products Containing Ephedrine With Guaifenesin (Which Are Lawfully Marketed Under the FDCA) From the Chemical Control Provisions of the CSA .....	1117-AA37

**Drug Enforcement Administration—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
2007	Distribution of Chemical Import/Export Declaration .....	1117-AA21
2008	Waiver of Requirements for Distribution of Prescription Drug Products That Contain List I Chemicals .....	1117-AA29
2009	Manufacturer Reporting .....	1117-AA30
2010	Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Federal Food, Drug, and Cosmetic Act .....	1117-AA32

**Executive Office for Immigration Review—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
2011	Discipline of Attorneys and Representatives .....	1125-AA13
2012	Listing of Free Legal Services Programs .....	1125-AA14

**Executive Office for Immigration Review—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
2013	Rules Concerning Conditional Permanent Residence for Alien Entrepreneurs in Deportation Proceedings .....	1125-AA02
2014	Fees for Motion to Reopen or Reconsider .....	1125-AA15
2015	Representation and Appearances: Law Students and Law Graduates .....	1125-AA16

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## Executive Office for Immigration Review—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2016	Motions and Appeals in Immigration Proceedings .....	1125-AA01

## General Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2017	Supplemental Standards of Ethical Conduct for Employees of the Department of Justice .....	1103-AA25

## Immigration and Naturalization Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2018	Detention of Aliens Convicted of Aggravated Felonies or Other Crimes .....	1115-AE49
2019	Canadian Border Boat Landing Program .....	1115-AE53
2020	Corporate Reorganizations (Mergers and Acquisitions) and E, H, L Nonimmigrant Classification .....	1115-AE55
2021	Petition for Employment Creation Aliens .....	1115-AE56

## Immigration and Naturalization Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2022	Revised Grounds of Exclusion, Parole of Aliens Into the United States, and Waivers of Inadmissibility for Immigrants and Nonimmigrants .....	1115-AB45
2023	Standardized Testing for Naturalization; Procedures for Approval of Test Providers ( <b>Reg Plan Seq. No. 51</b> ) .....	1115-AD52
2024	Nonimmigrant Classes; Diplomat and Government Representatives; Transits; Requirements for Admission, Extension and Maintenance of Status .....	1115-AD57
2025	Executing Final Order of Exclusion or Deportation; Conforming 72-Hour Notice Provisions .....	1115-AD71
2026	Nonimmigrant Classes; S Classification; Law Enforcement Initiatives; Alien Witnesses .....	1115-AD86
2027	Inspection of Alien Crew Members; 90-day Waiver .....	1115-AD95
2028	Recognized Providers of Immigration Assistance and Forms Preparation Services ( <b>Reg Plan Seq. No. 52</b> ) .....	1115-AE18
2029	Employer Sanctions Modifications .....	1115-AE21
2030	Apprehension, Custody and Detention; Aggravated Felony Convictions .....	1115-AE25
2031	Eligibility of Persons for Refugee Status and Withholding of Deportation; Elimination of Parole Review Program for Excludable Mariel Cubans .....	1115-AE30
2032	Manifest Requirements for In-Transit Passengers .....	1115-AE37
2033	Contracts with Transportation Lines; Limiting Transfers of Transit Without Visa Aliens in the United States to One; Electronic Ticketing .....	1115-AE41
2034	Examinations Fee Account Schedule .....	1115-AE42
2035	Judicial Review of Decisions of the Executive Office for Immigration and Immigration and Naturalization Service .....	1115-AE46
2036	Expedited Exclusion ( <b>Reg Plan Seq. No. 53</b> ) .....	1115-AE47
2037	Agreement Promising Non-Deportation or Other Immigration Benefits .....	1115-AE50
2038	Definition of the Term "Lawfully Present" for Purposes of Applying for Title II Benefits under the Social Security Act .....	1115-AE51
2039	Petitioning Requirements for the H Nonimmigrant Classification .....	1115-AE52
2040	Charging of Fees for Mexican Border Crossing Cards .....	1115-AE54

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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## Immigration and Naturalization Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2041	Arrest and Detention of Aggravated Felons .....	1115-AB19
2042	Nonimmigrant Classes; NATO-1, 2, 3, 4, 5, 6, and 7; Control of Employment of Aliens (Special Requirement for Admission, Extension and Maintenance of Status; NATO) .....	1115-AB52
2043	Field Officers; Powers and Duties; Subpoena .....	1115-AB63
2044	Nonimmigrant Classes; North American Free Trade Agreement (U.S.-Canada Free-Trade Agreement Amendments) .....	1115-AB72
2045	Control of Employment of Aliens ( <b>Reg Plan Seq. No. 54</b> ) .....	1115-AB73
2046	Visa Waiver Pilot Program .....	1115-AB93
2047	Marriage During Deportation or Exclusion Proceedings; Bona Fide Marriage Exemption to Prohibition Against Approval of Relative Visa Petition or Adjustment of Status .....	1115-AC43
2048	Removal of Conditional Basis and Lawful Permanent Residence for Certain Alien Spouses and Sons and Daughters; Battered and Abused Conditional Residents .....	1115-AC47
2049	Treaty Aliens, E Classification .....	1115-AC51
2050	Adjustment of Status to That of Person Admitted for Permanent Residence: Conditional Residents and Fiance(e)s .....	1115-AC70
2051	Temporary Alien Workers Seeking Classification Under the Immigration and Nationality Act .....	1115-AC72
2052	Nonimmigrant Classes; B Visitor for Business or Pleasure .....	1115-AC89
2053	Adjustment of Status to That of Person Admitted for Permanent Residence: Interview .....	1115-AD12
2054	F, J, and M Nonimmigrant Student Requirements for Admission, Tracking, Maintenance of Status and for Employment Authorization .....	1115-AD16
2055	Inspection of Persons Applying for Admission .....	1115-AD17
2056	Mexican and Canadian Nonresident Alien Border Crossing Cards (BCCs) .....	1115-AD24
2057	Classification of Certain Scientists of the Independent States of the Former Soviet Union and Baltic States as Employment-Based Immigrants .....	1115-AD29
2058	Adjustment of Status; Certain Nationals of the Peoples Republic of China .....	1115-AD33
2059	Privilege of Communication .....	1115-AD50
2060	Petitions for Employment-Based Immigrants .....	1115-AD55
2061	Procedures for Filing a Derivative Petition (Form I-730) for a Spouse and Unmarried Children of a Refugee/Asylee .....	1115-AD59
2062	Issuance of Charging Documents by Asylum Officers .....	1115-AD64
2063	Requests for Additional Evidence To Support Immigrant Visa Petitions .....	1115-AD70
2064	Admission of Certain Nurses Seeking Nonimmigrant Classification Under the H-1A Category .....	1115-AD74
2065	Fees for Participation in Dedicated Commuter Lanes at Selected Ports of Entry; Collection of Fees Under the Dedicated Commuter Lane Program .....	1115-AD82
2066	Adjustment of Status to That of Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions on Eligibility .....	1115-AD83
2067	Waiver of the Two-Year Home Country Physical Presence Requirement for Certain Foreign Medical Graduates .....	1115-AD89
2068	Screening Requirements of Carriers for Reduction, Refund, or Waiver of Fines .....	1115-AD97
2069	Preinspection Services for Aircraft, Vessels, and Trains Outside the United States (Preinspection) .....	1115-AD98
2070	Exemption from Educational Requirements for Certain Naturalization Applicants .....	1115-AE02
2071	Petition to Classify Alien as Immediate Relative of a U.S. Citizen or as a Preference Immigrant; Self-Petitioning for Certain Battered or Abused Alien Spouses and Children .....	1115-AE04
2072	Miscellaneous Modifications to Naturalization Regulations .....	1115-AE07
2073	Conditions on Nonimmigrant Status; Disclosure of Information .....	1115-AE17
2074	Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship to Children Born Abroad .....	1115-AE19
2075	Priority Dates for Employment-Based Petitions .....	1115-AE24
2076	Regulations Relating to Temporary Protected Status .....	1115-AE26
2077	Amendment to Limitations on Discretion to Grant an Application for Relief Under Section 212(c) .....	1115-AE27
2078	Effect of Parole of Cuban and Haitian Nationals on Resettlement Assistance Eligibility .....	1115-AE29
2079	Regulations Pertaining to Adjudications Processing .....	1115-AE31
2080	Processing of Applicants for Admission to the United States .....	1115-AE32
2081	Orphan Petitions; Petitions To Classify Alien as Immediate Relative of a United States Citizen or Preference Immigrant; Change in Definition of Child .....	1115-AE33
2082	Adjudications and Deportation Process Streamlining .....	1115-AE48

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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## Immigration and Naturalization Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2083	Nonimmigrant Classes; Temporary Employees-H-2A Agricultural .....	1115-AA25
2084	Seizure and Forfeiture of Conveyances .....	1115-AA95
2085	Termination of Temporary Resident Status .....	1115-AB74
2086	Contracts With Transportation Lines; Increasing the Liquidated Damages for Carrier Violations of the TWOV Agreement to \$3000 .....	1115-AC17
2087	Application for the Exercise of Discretion Under 212c, Aggravated Felons .....	1115-AC35
2088	Consent To Reapply for Admission After Deportation, Removal, or Departure at Government Expense .....	1115-AC37
2089	Registration and Fingerprinting of Nonimmigrants Designated by the Attorney General; Removal of Certain Requirements for Nonimmigrants Bearing Iraqi and Kuwaiti Travel Documents .....	1115-AC83
2090	Unavailability of TWOV to Citizens of the Former Socialist Federal Republic of Yugoslavia .....	1115-AC87
2091	Physical and Mental Examination of Arriving Aliens .....	1115-AD10
2092	Expansion of Direct Mail Program .....	1115-AD73
2093	Regulation Changes Necessitated by the Break-up of the Soviet Union and Czechoslovakia, the Unification of the Two Germanies, and the Name Change of the Democratic Republic of Vietnam .....	1115-AD96
2094	Centralize the Production of Secure Employment Authorization Documents .....	1115-AE06
2095	Notice of Policy Regarding Fines Imposed on Carriers Who Bring Aliens to the United States Without Proper Documentation .....	1115-AE09
2096	Notice to Carriers of the INS Policy on the Requirements of Arrival/Departure Manifests, Form I-94, and Fines Implications Under Section 231(a) .....	1115-AE11
2097	"Master Exhibits" Currently Available .....	1115-AE14
2098	Immigration and Naturalization Service P-1 Nonimmigrants .....	1115-AE38
2099	Order to Show Cause and Notice of Hearing; Apprehension, Custody and Detention .....	1115-AE57

## Immigration and Naturalization Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2100	Release Procedures; Lawful Permanent Residents Convicted of Aggravated Felonies .....	1115-AC60
2101	J Nonimmigrants: Requirements for Admission and Maintenance of Status; Employment Authorization .....	1115-AD37
2102	Validity of Approved Petitions and Appeal Rights .....	1115-AD45
2103	Citizenship Documents .....	1115-AD51
2104	Revocation of Naturalization .....	1115-AD54
2105	INS Forms Available From the Superintendent of Documents .....	1115-AD58
2106	Certification of Designated Fingerprint Services (Outside Entities) To Take Fingerprints .....	1115-AD75
2107	Administrative Application for Suspension of Deportation Procedure Before a District Director .....	1115-AD78
2108	Revocations and Designation of International Airport Status for Ports of Entry for Aliens Arriving by Aircraft .....	1115-AD84
2109	Establishment of Form I-551, Alien Registration Receipt Card, as the Exclusive Form of Registration for Lawful Permanent Residents .....	1115-AD87
2110	Fees Assessed for Defaulted Payments .....	1115-AD92
2111	Arrival/Departure Records; Retention of Departure Portion of the Form I-94 for Seaports .....	1115-AD94
2112	Automated Issuance of Form I-94 Arrival/Departure Record .....	1115-AD99
2113	Border Services User Fee .....	1115-AE01
2114	Cost of Detention of Stowaways .....	1115-AE03
2115	Elimination of Listing of Transportation Lines Signatory to Contracts .....	1115-AE34
2116	Contracts with Transportation Lines; Signatory Authority .....	1115-AE36
2117	Adding Sanford, Florida to the List of Ports of Entry to Accept Applications for Direct Transit Without Visas (TWOV) .....	1115-AE40
2118	Removal of Obsolete Sections of the Regulation Concerning Temporary Protective Status for Salvadorans .....	1115-AE43
2119	Suspension of Deportation and Voluntary Departure .....	1115-AE44

## Legal Activities—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2120	False Claims Amendments Act of 1986—Civil Investigative Demands .....	1105-AA42

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## Legal Activities—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2121	Implementation of the National Stolen Passenger Motor Vehicle Information System (NSPMVIS) .....	1105-AA44
2122	Filing of Informational Materials .....	1105-AA45
2123	Civil Monetary Penalties Inflation Adjustment .....	1105-AA48
2124	Expansion of Documentation Options to Establish Eligibility Under the Radiation Exposure Compensation Act of 1990 .....	1105-AA49

## Legal Activities—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2125	Revision of Regulations Governing the Remission or Mitigation of Civil and Criminal Forfeitures .....	1105-AA23
2126	Qualifications for Trustees .....	1105-AA30
2127	Qualifications for Chapter 13 Standing Trustees .....	1105-AA32
2128	Implementation of Section 109 of the Communications Assistance for Law Enforcement Act .....	1105-AA39
2129	Police Corps Program .....	1105-AA47

## Legal Activities—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2130	Criminal Fines Enforcement .....	1105-AA16
2131	Production or Disclosure of Material or Information .....	1105-AA20
2132	Violent Crime and Drug Emergency Areas .....	1105-AA29
2133	Federal Claims Collection Standards (FCCS) .....	1105-AA31
2134	Child Protection Restoration and Penalties Enhancement Act of 1990 .....	1105-AA46

## Legal Activities—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2135	Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 USC 330 .....	1105-AA33
2136	Motor Vehicle Theft Prevention Program .....	1105-AA34
2137	Recommendations to the President on Civil Aeronautics Board Decisions .....	1105-AA41

## Office of Justice Programs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2138	Confidentiality of Identifiable Research and Statistical Information .....	1121-AA33
2139	Criminal Justice Block Grants .....	1121-AA34

## Office of Justice Programs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2140	Young American Medals Program .....	1121-AA37
2141	Office of Juvenile Justice and Delinquency Preventive Formal Grant Regulation .....	1121-AA39

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Office of Justice Programs—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2142	Grants Program for Indian Tribes .....	1121-AA41

Office of Justice Programs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2143	Violent Offender Incarceration and Truth in Sentencing Incentive Grant Program .....	1121-AA25
2144	Private Sector/Prison Industry Enhancement Certification .....	1121-AA36

Office of Justice Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2145	State Criminal Alien Assistance Program .....	1121-AA24
2146	Arrest Policies in Domestic Violence Cases .....	1121-AA35
2147	Motor Vehicle Theft Prevention Program .....	1121-AA38

**DEPARTMENT OF JUSTICE (DOJ)**  
**Bureau of Prisons (BOP)**

**Proposed Rule Stage**

**1945. POSTSECONDARY EDUCATION PROGRAMS**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 544

**Legal Deadline:** None

**Abstract:** This document restricts eligibility for Bureau payment of tuition for inmates who are refusing participation in the Inmate Financial Responsibility Program and for inmates who have a deportation detainer.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	
Final Action	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA25

**1946. CORRESPONDENCE: PRETRIAL INMATES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 540.14

**Legal Deadline:** None

**Abstract:** This document requires that general correspondence from pretrial inmates may not be sealed and may be read and inspected by staff.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	
Final Action	05/00/97	
Final Action Effective	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA52

**1947. ● FEDERAL PRISON INDUSTRIES (FPI) WORK PROGRAM: DEPORTATION ORDERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 4126

**CFR Citation:** 28 CFR 345

**Legal Deadline:** None

**Abstract:** This document limits from consideration for any FPI assignment any inmate for whom a deportation order has been issued. In addition, any inmate already in an FPI assignment shall be removed immediately and shall be re-assigned to a non-FPI work assignment for which the inmate is eligible.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	

**DOJ—BOP**

**Proposed Rule Stage**

Action	Date	FR Cite
Final Action	06/00/97	
Final Action Effective	07/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA57

**1948. • INMATE LEGAL ACTIVITIES AND INMATE PERSONAL PROPERTY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510; 28 USC 1346(b); 28 USC 2671 to 2680

**CFR Citation:** 28 CFR 543; 28 CFR 553

**Legal Deadline:** None

**Abstract:** This document clarifies situations in which one inmate may be allowed to possess the legal documents of another inmate while assisting that other inmate.

**Timetable:**

Action	Date	FR Cite
NPRM	10/30/96	61 FR 56096
NPRM Comment Period End	12/30/96	
Final Action	02/00/97	
Final Action Effective	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA58

**DEPARTMENT OF JUSTICE (DOJ)**

**Final Rule Stage**

**Bureau of Prisons (BOP)**

**1949. VOLUNTEER COMMUNITY SERVICE PROJECTS**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 1512; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 551.60

**Legal Deadline:** None

**Abstract:** This document establishes provisions for Voluntary Community Service Projects. A volunteer community service project is a project designed to provide for the public good which has been developed by local government or by a nonprofit charitable organization for approval by the Bureau. This rule provides for the voluntary participation by an inmate in a volunteer community service project. The intent of this rule is to promote the public interest and provide for the security and good order of the institution by reducing inmate idleness.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/19/93	58 FR 5210
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754,

320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA03

**1950. INTENSIVE CONFINEMENT CENTERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4046; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 524.31 to 524.34

**Legal Deadline:** None

**Abstract:** This document establishes procedures for the operation of a specialized program combining features of a military boot camp with the traditional correctional values of the Bureau of Prisons. Inmates who successfully complete this program may be placed in community-based programs for longer periods of time than ordinarily permitted.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/26/96	61 FR 18658
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754,

320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA11

**1951. RESEARCH**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 512.10 to 512.22

**Legal Deadline:** None

**Abstract:** This document will revise Bureau regulations in conformance with newly issued Departmental regulations on the Protection of Human Subjects. This action is necessary to provide for the establishment and operation of Bureau institutional review boards, to simplify the application process, and to clarify existing policy.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/23/94	59 FR 13860
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None  
**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
 Phone: 202 514-6655  
**RIN:** 1120-AA14

**1952. INCOMING PUBLICATIONS/INMATE LEGAL ACTIVITIES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510; 28 USC 1346(b); 28 USC 2671 to 2680  
**CFR Citation:** 28 CFR 540.71; 28 CFR 543.11  
**Legal Deadline:** None

**Abstract:** This document amends Bureau regulations on Incoming Publications to require that inmates in medium security, high security, and administrative institutions may receive softcover publications only from the publisher, book club, or bookstore. A conforming amendment is made to the Bureau's regulations on Inmate Legal Activities.

**Timetable:**

Action	Date	FR Cite
NPRM	01/18/94	59 FR 2668
NPRM Comment Period End	03/21/94	
Final Action	12/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
 Phone: 202 514-6655  
**RIN:** 1120-AA15

**1953. RELIGIOUS BELIEFS AND PRACTICES**

**Priority:** Other Significant  
**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510; 42 USC 1996

**CFR Citation:** 28 CFR 548.10 to 548.20  
**Legal Deadline:** None  
**Abstract:** This document amends the Bureau's regulations on religious beliefs and practices in order to provide for the uniform implementation of a common fare religious diet menu and to simplify and update procedures relating to religious beliefs and practices.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/95	60 FR 46485
Final Action	12/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
 Phone: 202 514-6655  
**RIN:** 1120-AA17

**1954. ENGLISH AS A SECOND LANGUAGE PROGRAM**

**Priority:** Routine and Frequent  
**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510  
**CFR Citation:** 28 CFR 544.40 to 544.44  
**Legal Deadline:** None

**Abstract:** This document incorporates statutory mandatory functional literacy requirements into Bureau regulations. These functional literacy requirements provide that inmates who are not proficient in English must participate in an English as a Second Language program until they function at the eighth grade level on a nationally recognized test.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/29/94	59 FR 14724
Final Action	03/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
 Phone: 202 514-6655  
**RIN:** 1120-AA19

**1955. RELEASE OF INFORMATION**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 5 USC 552; 5 USC 552a; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 28 USC 509 to 510  
**CFR Citation:** 28 CFR 513  
**Legal Deadline:** None

**Abstract:** This document consolidates procedures for releasing requested records in the possession of the Bureau of Prisons. The rule has been developed to help ensure that the Bureau of Prisons is in compliance with the statutory requirements of the Freedom of Information Act (5 USC 552) and the Privacy Act (5 USC 552a) and to supplement Department of Justice regulations at 28 CFR 16 implementing those statutes.

**Timetable:**

Action	Date	FR Cite
NPRM	06/21/96	61 FR 32258
NPRM Comment Period End	08/20/96	
Final Action	12/00/96	
Final Action Effective	01/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
 Phone: 202 514-6655  
**RIN:** 1120-AA21

**1956. INFECTIOUS DISEASES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510  
**CFR Citation:** 28 CFR 549  
**Legal Deadline:** None

**Abstract:** This document combines existing regulations on HIV programs with provisions applicable to correctional management of tuberculosis and hepatitis B.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/05/95	60 FR 52278

DOJ—BOP

Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Comment Period End	12/04/95	
Final Action	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

RIN: 1120-AA23

**1957. FINES AND COSTS**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3565; 18 USC 3568 to 3569; 18 USC 3621; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 4201 to 4218; 18 USC 5031 to 5042; 28 USC 509 to 510

**CFR Citation:** 28 CFR 571.50 to 571.56

**Legal Deadline:** None

**Abstract:** This document will revise Bureau regulations to update procedures for processing a fine or costs ordered by the court with respect to an inmate convicted of an offense committed before November 1, 1987.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/96	
Final Action Effective	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

RIN: 1120-AA29

**1958. BIRTH CONTROL, PREGNANCY, CHILD PLACEMENT, ABORTION**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 1512; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 551.22 to 551.24

**Legal Deadline:** None

**Abstract:** This document removes references to restrictions on Bureau funding of an elective abortion. Removal of these references is necessary to conform to changes in legislative authority. This document also makes various editorial or organizational changes for the sake of clarity.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/06/94	59 FR 62968
Final Action	05/00/97	
Final Action Effective	05/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

RIN: 1120-AA31

**1959. LITERACY PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 544.70 to 544.76

**Legal Deadline:** None

**Abstract:** This document implements statutory provisions which make an inmate's vesting of good conduct time contingent upon the inmate's obtaining or making satisfactory progress toward obtaining a General Educational Degree or high school diploma. Additional changes to the regulations on the Bureau's literacy program are made for the sake of clarification or simplification.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/96	
Final Action	06/00/97	
Final Action Effective	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

RIN: 1120-AA33

**1960. INMATE DISCIPLINE (GOOD CONDUCT TIME)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 541

**Legal Deadline:** None

**Abstract:** This document implements provisions of the Violent Crime Control and Law Enforcement Act of 1994 which require that inmates sentenced for crimes of violence display "exemplary compliance" with institution regulations in order to earn good conduct time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/26/95	60 FR 54922
NPRM Comment Period End	12/26/95	
Final Action	12/00/96	
Final Action Effective	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

RIN: 1120-AA34

**1961. POSTSECONDARY EDUCATION PROGRAMS**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 544.20 to 544.23

**Legal Deadline:** None

**Abstract:** This document clarifies requirements for tuition funding sources and makes various administrative changes in the operation of the program. The intent of this revision is to provide for the more efficient use of Bureau resources.

**DOJ—BOP**

**Final Rule Stage**

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/96	
Final Action Effective	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA35

**1962. DRUG ABUSE TREATMENT PROGRAMS: EARLY RELEASE CONSIDERATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4251 to 4255; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 550

**Legal Deadline:** None

**Abstract:** This document implements provisions of the Violent Crime Control and Law Enforcement Act of 1994 which allow for consideration of early release of eligible non-violent offenders who complete a residential drug abuse treatment program.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/17/96	61 FR 25121
Final Action	12/00/96	
Final Action Effective	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA36

**1963. TELEPHONE REGULATIONS AND INMATE FINANCIAL RESPONSIBILITY**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039

**CFR Citation:** 28 CFR 540

**Legal Deadline:** None

**Abstract:** This document postpones the effective date for certain provisions of the final rule on Telephone Regulations and Inmate Financial Responsibility which was published on April 4, 1994.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/02/96	61 FR 90
Final Action	12/00/96	
Final Action Effective	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA39

**1964. UNESCORTED TRANSFERS AND VOLUNTARY SURRENDERS**

**Priority:** Info./Admin./Other

**Legal Authority:** 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 522.30

**Legal Deadline:** None

**Abstract:** This document updates statutory citations and makes an editorial change in the heading of the subpart.

**Timetable:**

Action	Date	FR Cite
Final Action	02/00/97	
Final Action Effective	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA45

**1965. INMATE PERSONAL PROPERTY**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18

USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 553.10 to 553.15

**Legal Deadline:** None

**Abstract:** This document revises procedures governing the transfer of inmate personal property between institutions.

**Timetable:**

Action	Date	FR Cite
NPRM	04/01/96	61 FR 14440
NPRM Comment Period End	05/31/96	
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA46

**1966. SCOPE OF RULES: NATIONAL SECURITY CONSIDERATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 501

**Legal Deadline:** None

**Abstract:** This document allows for special administrative measures which may be taken with regard to a specific inmate when necessary to avoid the risk of disclosure of classified information that could endanger national security.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/13/95	60 FR 53490
Final Action	02/00/97	
Final Action Effective	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

**RIN:** 1120-AA47

## DOJ—BOP

## Final Rule Stage

**1967. CORRESPONDENCE:  
RESTRICTED SPECIAL MAIL  
PROCEDURES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510**CFR Citation:** 28 CFR 540.18**Legal Deadline:** None**Abstract:** This document provides for restricted special mail procedures in instances where the Warden has reason to believe that the special mail may pose or may threaten physical harm to the intended recipient.**Timetable:**

Action	Date	FR Cite
NPRM	02/14/96	61 FR 5846
NPRM Comment Period End	04/15/96	
Final Action	11/00/96	
Final Action Effective	12/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA48**1968. TELEPHONE REGULATIONS  
AND INMATE FINANCIAL  
RESPONSIBILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3013; 18 USC 3571; 18 USC 3572; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 3663; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; ...**CFR Citation:** 28 CFR 540.105; 28 CFR 545.11**Legal Deadline:** None**Abstract:** This document establishes limitations on telephone privileges and commissary privileges for inmates who refuse to participate in the inmate financial responsibility program.**Timetable:**

Action	Date	FR Cite
NPRM	01/02/96	61 FR 92
NPRM Comment Period End	03/04/96	
Final Action	12/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA49**1969. FEDERAL PRISON INDUSTRIES  
(FPI) WORK PROGRAM****Priority:** Routine and Frequent**Legal Authority:** 18 USC 4126**CFR Citation:** 28 CFR 345.11**Legal Deadline:** None**Abstract:** This document clarifies the definition of "FPI Work Status."**Timetable:**

Action	Date	FR Cite
Final Action	11/00/96	
Final Action Effective	11/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA50**1970. • TRANSFER OF INMATES TO  
STATE AGENTS FOR PRODUCTION  
ON STATE WRITS****Priority:** Info./Admin./Other**Legal Authority:** 18 USC 3565; 18 USC 3569; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4081 to 4082; 18 USC 4100 to 4115; 18 USC 4161 to 4166; 18 USC 4201 to 4218; 18 USC 5003; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 527**Legal Deadline:** None**Abstract:** This rule makes various editorial or procedural changes in order to update Bureau regulations.**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	
Final Action Effective	01/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA53**1971. • SCOPE OF RULES:  
PREVENTION OF ACTS OF VIOLENCE  
AND TERRORISM****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 501.3**Legal Deadline:** None**Abstract:** This document provides for the imposition of special administrative measures that may be necessary to prevent acts of violence that may be caused by contacts with certain inmates.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/17/96	61 FR 25120
Final Action	02/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA54

**DEPARTMENT OF JUSTICE (DOJ)**  
**Bureau of Prisons (BOP)**

**Completed Actions**

**1972. PLASTIC SURGERY**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 549

**Completed:**

Reason	Date	FR Cite
Final Action	03/26/96	61 FR 13322
Final Action Effective	04/25/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA26

**1973. SPECIAL FOOD**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 547

**Completed:**

Reason	Date	FR Cite
Final Action	04/12/96	61 FR 16374
Final Action Effective	05/13/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA37

**1974. USE OF FORCE**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 552.24

**Completed:**

Reason	Date	FR Cite
Final Action	07/30/96	61 FR 39800
Final Action Effective	07/30/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA41

**1975. INMATE ORGANIZATIONS**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 551.30 to 551.36

**Completed:**

Reason	Date	FR Cite
Final Action	03/19/96	61 FR 11274
Final Action Effective	04/18/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic

Phone: 202 514-6655

**RIN:** 1120-AA42

**1976. CENTRAL INMATE MONITORING**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 524.70 to 524.78

**Completed:**

Reason	Date	FR Cite
Final Action	07/31/96	61 FR 40142
Final Action Effective	07/31/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA43

**1977. EDUCATION TESTS: MINIMUM STANDARDS FOR ADMINISTRATION, INTERPRETATION, AND USE**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 28 CFR 544.10 to 544.13

**Completed:**

Reason	Date	FR Cite
Final Action	09/10/96	61 FR 47795
Final Action Effective	09/10/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA44

**1978. RELEASE PREPARATION PROGRAM**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 571.10

**Completed:**

Reason	Date	FR Cite
Final Action	07/22/96	61 FR 38042
Final Action Effective	07/22/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
 Phone: 202 514-6655

**RIN:** 1120-AA51

**1979. ● HOSTAGE SITUATION MANAGEMENT**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5924; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 552

**Legal Deadline:** None

**Abstract:** This document makes various editorial or procedural changes for the purpose of updating the regulations pertaining to the management of hostage situations.

**Timetable:**

Action	Date	FR Cite
Final Action	07/22/96	61 FR 38042
Final Action Effective	07/22/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA55

**1980. ● EDITORIAL AMENDMENTS**

**Priority:** Info./Admin./Other

**Legal Authority:** 18 USC 3521 to 3528; 18 USC 3565; 18 USC 3568 to 3569; 18 USC 3582; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4046; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 4201 to 4218; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 524; 28 CFR 541; 28 CFR 544; 28 CFR 571

**Legal Deadline:** None

**Abstract:** This document removes obsolete provisions, updates cross-references, or clarifies procedures in regulations pertaining to classification and program review, inmate discipline, education program standards, and release gratuities.

**Timetable:**

Action	Date	FR Cite
Final Action	09/10/96	61 FR 47794
Final Action Effective	09/10/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**DOJ—BOP**

**Completed Actions**

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice,

Bureau of Prisons, HOLC 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655

Fax: 202 307-0828  
**RIN:** 1120-AA56

**DEPARTMENT OF JUSTICE (DOJ)  
Civil Rights Division (CRT)**

**Final Rule Stage**

**1981. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES; PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES; ACCESSIBILITY STANDARDS**

**Regulatory Plan:** This entry is Seq. No. 50 in Part II of this issue of the Federal Register.

**RIN:** 1190-AA26

**1982. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 12134; 5 USC 301; 28 USC 509; 28 USC 510; PL 101-336

**CFR Citation:** 28 CFR 35

**Legal Deadline:** None

**Abstract:** This proposed amendment would revise the Department's regulation implementing Title II to clarify the requirement for installation of curb ramps at existing pedestrian walkways and to extend the time period for compliance beyond the current deadline of January 26, 1995. This amendment responds to public concerns about the unique and significant capital expense involved in the installation of curb ramps.

The amendment would establish a two-tier system under which public entities would be required to provide access to pedestrian walkways serving government offices, public transportation, public accommodations, places of employment, and the residences of individuals with disabilities by January 26, 2000. Access to existing pedestrian walkways in other areas would be required by January 26, 2005. The proposed rule would require public entities to include a schedule for the

implementation of these requirements in their transition plans.

**Timetable:**

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58462
NPRM Comment Period End	01/26/96	
Comment Period Extended to 3/1/96	02/06/96	61 FR 4389
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John L. Wodatch, Chief, Disability Rights Section, Department of Justice, Civil Rights Division, P.O. Box 66738, Washington, DC 20035-6738

Phone: 800 514-0301

TDD: 800 514-0383

Fax: 202 307-1198

**RIN:** 1190-AA36

**1983. AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES; CHILDREN'S FACILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 12186; 5 USC 301; 28 USC 509; PL 101-336; 28 USC 510

**CFR Citation:** 28 CFR 36

**Legal Deadline:** None

**Abstract:** On July 26, 1991, the Department published its final rules implementing titles II and III of the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability by public entities (title II) and in places of accommodation and commercial facilities (title III). Those regulations included accessibility guidelines but did not specifically include guidelines for facilities designed for children.

This rule amends the ADA Standards for Accessible Design to include guidelines based on children's dimensions and anthropometrics and applies to newly constructed and altered facilities that are designed for

use primarily by children. The rule ensures that newly constructed and altered children's facilities are readily accessible to and usable by children with disabilities.

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/96	61 FR 37964
NPRM Comment Period End	10/21/96	
Final Action	09/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John L. Wodatch, Chief, Disability Rights Section, Department of Justice, Civil Rights Division, P.O. Box 66738, Washington, DC 20035-6738

Phone: 800 514-0301

TDD: 800 514-0383

Fax: 202 307-1198

**RIN:** 1190-AA38

**1984. REDRESS PROVISIONS FOR PERSONS OF JAPANESE ANCESTRY: GUIDELINES UNDER ISHIDA V. UNITED STATES**

**Priority:** Other Significant

**Legal Authority:** 50 USC app. 1989; Ishida v. United States, 59 F.3d 1224 (Fed. Cir. 1995)

**CFR Citation:** 28 CFR 74.3(b)(9)

**Legal Deadline:** None

**Abstract:** This rule revises the Department's regulations governing redress provisions for persons of Japanese ancestry under the Civil Liberties Act of 1988 to make eligible for payments of \$20,000 those persons who were born after their parents "voluntarily" evacuated from the prohibited military zones of the West Coast of the United States as a result of military proclamations issued pursuant to Executive Order 9066. This change is being made as a result of a decision adverse to the Federal government in the Federal Circuit case Ishida v. United States.

This rule also makes eligible for redress those persons who were born outside

**DOJ—CRT**

**Final Rule Stage**

the prohibited military zones in the United States after their parents were released from internment camps during the defined war period and whose parents had resided in the prohibited military zones on the West Coast immediately prior to their internment.

**Timetable:**

Action	Date	FR Cite
NPRM	04/22/96	61 FR 17667
NPRM Comment Period End	06/20/96	
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Tink D. Cooper, Attorney, Department of Justice, Civil Rights Division, Office of Redress Administration, P.O. Box 66260, Washington, DC 20035-6260  
Phone: 202 219-6900  
TDD: 202 219-4710

**RIN:** 1190-AA40

**DEPARTMENT OF JUSTICE (DOJ)  
Civil Rights Division (CRT)**

**Long-Term Actions**

**1985. NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED PROGRAMS AND ACTIVITIES—IMPLEMENTATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 42 subpart J (New)

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** Merrily A. Friedlander  
Phone: 202 307-2222  
TDD: 202 307-2678  
Fax: 202 307-0595

**RIN:** 1190-AA28

**Agency Contact:** Merrily A. Friedlander  
Phone: 202 307-2222  
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Fax: 202 307-0595  
**RIN:** 1190-AA31

**1987. AMENDMENT TO COORDINATION OF ENFORCEMENT OF NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS—IMPLEMENTATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 42.401 to 42.415

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Merrily A. Friedlander  
Phone: 202 307-2222  
TDD: 202 307-2678  
Fax: 202 307-0595  
**RIN:** 1190-AA32

**1988. PROCEDURES FOR THE ADMINISTRATION OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 51

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** George A. Schneider  
Phone: 202 307-3153

**RIN:** 1190-AA35

**1989. IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 55

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** David H. Hunger  
Phone: 202 307-2898  
Fax: 202 307-3961

**RIN:** 1190-AA39

**DEPARTMENT OF JUSTICE (DOJ)**  
**Civil Rights Division (CRT)**

**Completed Actions**

**1990. PROCEDURES FOR COMPLAINTS OF EMPLOYMENT DISCRIMINATION FILED AGAINST RECIPIENTS OF FEDERAL FINANCIAL ASSISTANCE; RESCISSION OF LIMITATION ON PARTICIPATION OF THE DEPARTMENT OF EDUCATION**

**Priority:** Info./Admin./Other

**CFR Citation:** 28 CFR 42; 29 CFR 1691

**Completed:**

Reason	Date	FR Cite
Final Action	08/16/96	61 FR 42556

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Merrily A. Friedlander  
 Phone: 202 307-2222  
 TDD: 202 307-2678

**RIN:** 1190-AA30

**1991. UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 44.100 to 44.305

**Completed:**

Reason	Date	FR Cite
Withdrawn See Item 14A for description	08/23/96	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** James S. Angus  
 Phone: 202 616-5594  
 TDD: 202 616-5525  
 Fax: 202 616-5509

**RIN:** 1190-AA33

**1992. REDRESS PROVISIONS FOR PERSONS OF JAPANESE ANCESTRY: GUIDELINES FOR INDIVIDUALS WHO RELOCATED TO JAPAN AS MINORS DURING WORLD WAR II**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 74.4(b)

**Completed:**

Reason	Date	FR Cite
Final Action	09/30/96	61 FR 51008
Final Action Effective	09/30/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Tink D. Cooper  
 Phone: 202 219-6900  
 TDD: 202 219-4710

**RIN:** 1190-AA42

**1993. AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES; DETECTABLE WARNINGS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 36

**Completed:**

Reason	Date	FR Cite
Final Action	07/29/96	61 FR 39323
Final Action Effective	07/29/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Janet L. Blizard  
 Phone: 202 514-0301  
 TDD: 800 514-0383  
 Fax: 202 307-1198

**RIN:** 1190-AA43

**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**

**Prerule Stage**

**1994. ● GUIDELINES FOR PROVIDING CONTROLLED SUBSTANCES TO OCEAN VESSELS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 871(b)

**CFR Citation:** 21 CFR 1301.28

**Legal Deadline:** None

**Abstract:** DEA is considering whether to propose amending its regulations

regarding the supply of controlled substances to ocean vessels to provide a means of supply more consistent with current industry practices for other materials. The decision on whether to propose amendments will be based on the information and comments submitted in response to this advance notice of proposed rulemaking and DEA's experience with the existing procedures and practices for supplying controlled substances to ocean vessels.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/18/96	61 FR 49086

Action	Date	FR Cite
ANPRM Comment Period End	11/18/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 142N

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
 Fax: 202 307-8570

**RIN:** 1117-AA40

**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**

**Proposed Rule Stage**

**1995. REMOVAL OF RESTRICTIONS ON EMPLOYING CERTAIN INDIVIDUALS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 822  
**CFR Citation:** 21 CFR 1301.76(a)  
**Legal Deadline:** None

**Abstract:** This rule removes certain restrictions on the employment by registrants of individuals convicted of a felony offense relating to controlled substances, persons denied DEA registration or who had it revoked for cause.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined  
**Additional Information:** DEA-118

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration, Washington, DC 20537  
 Phone: 202 307-7297  
**RIN:** 1117-AA28

**1996. EXEMPTION OF CHEMICAL MIXTURES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 802; 21 USC 830; 21 USC 871(b)  
**CFR Citation:** 21 CFR 1310  
**Legal Deadline:** None

**Abstract:** The Domestic Chemical Diversion Control Act of 1993 removed the exemption from regulation for chemical mixtures. Chemical mixtures are now regulated, unless specifically exempted by the Administrator. In the proposed rule regarding the implementation of the Domestic

Chemical Diversion Control Act of 1993, DEA proposed regulations regarding exemption of chemical mixtures. Based on industry comments, the proposed regulations were subsequently withdrawn for reassessment and consultation with industry. These proposed regulations establish the new provisions regarding the exemption of chemical mixtures. Based on extensive consultations with industry, the regulations are intended to establish the least possible burden on industry while remaining consistent with the requirements of the law.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** DEA-137

**Agency Contact:** Howard McClain, Jr., Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7183  
**RIN:** 1117-AA31

**1997. DIVERSION CONTROL FEE ACCOUNT**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 21 USC 802; 21 USC 821; 21 USC 822; 21 USC 871(b)  
**CFR Citation:** 21 CFR 1301  
**Legal Deadline:** None

**Abstract:** In furtherance of the DEA's 1992 final rule regarding the increase of application fees (57 FR 60148), DEA is publishing this explanation of the components of the diversion control program.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** DEA Number 140P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
**RIN:** 1117-AA34

**1998. ESTABLISHMENT OF FREIGHT FORWARDING FACILITIES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 821 to 824; 21 USC 827; 21 USC 871(b); 21 USC 875; 21 USC 877; 21 USC 958(d); 21 USC 965  
**CFR Citation:** 21 CFR 1301; 21 CFR 1304  
**Legal Deadline:** None

**Abstract:** DEA is proposing to amend its regulations to define the term Freight Forwarding Facility and to exempt such facilities from the requirement of registration, in response to industry requests for recognition of such facilities. The proposed amendments will establish the regulatory guidelines under which registrants may utilize a freight forwarding facility while shipping controlled substances to another registrant.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Additional Information:** DEA Number 143P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
 Fax: 202 307-8570  
**RIN:** 1117-AA36

**1999. EXEMPTION FROM IMPORT/EXPORT REQUIREMENTS FOR PERSONAL MEDICAL USE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 21 USC 952; 21 USC 956 to 958

**CFR Citation:** 21 CFR 1311  
**Legal Deadline:** None

**Abstract:** DEA is amending the exemption from the import/export requirements of the Controlled Substances Act (CSA) for individuals

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Proposed Rule Stage

carrying personal use quantities of controlled substances into or out of the United States. The regulations are being amended to restrict the exemption to only those personal use importations that are also authorized or permitted under other Federal laws or state laws. If a personal use importation of a controlled substance is not authorized or permitted under other Federal laws or state law, it will be subject to the full import/export requirements of the CSA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 146I

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
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**RIN:** 1117-AA38

**2000. • SEPARATE REGISTRATIONS FOR SEPARATE LOCATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 821; 21 USC 822

**CFR Citation:** 21 CFR 1301.23

**Legal Deadline:** None

**Abstract:** DEA is proposing amending 21 CFR 1301.23 to clarify the requirement that a physician must obtain a separate registration for each state in which he/she practices.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA 149P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
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**RIN:** 1117-AA39

**2001. • RESTRICTION OF IMPORT/EXPORT REQUIREMENTS FOR PERSONAL MEDICAL USE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 952; 21 USC 956 to 958

**CFR Citation:** 21 CFR 1311.27

**Legal Deadline:** None

**Abstract:** DEA is proposing to amend title 21, Code of Federal Regulations,

Section 1311.27 to restrict the quantity of controlled substances that may be carried for personal medical use by an individual entering the United States (U.S.) to an amount consistent with the individual's travel. This action is being taken in response to problems with the misuse of the personal medical use exemption as a means to obtain and import controlled substances into the U.S. in a manner inconsistent with the intent of the law. The amended regulations will allow individuals to carry a supply of controlled substances sufficient to meet their health needs during their travels while preventing the misuse of the exemption.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA-151P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
 Phone: 202 307-7297  
 Fax: 202 307-8570

**RIN:** 1117-AA41

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Drug Enforcement Administration (DEA)

**2002. PRESCRIPTIONS FOR CONTROLLED SUBSTANCES, REQUIREMENTS FOR USE OF AUTOMATED DATA PROCESSING SYSTEMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 821; 21 USC 829; 21 USC 871(b)

**CFR Citation:** 21 CFR 1306.21; 21 CFR 1306.22; 21 CFR 1306.26; 21 CFR 1306.31

**Legal Deadline:** None

**Abstract:** Some of the amendments proposed by this rule concerning the maintenance and retrieval of controlled substance prescription information stored in automated data processing systems have been accomplished by another rule concerning the facsimile

transmission of prescriptions. (RIN 1117-AA15)

The remaining proposed amendments have been superseded by amendments made in the pending NPRM entitled Consolidation, Elimination, and Clarification of Various Regulations (RIN 1117-AA33). Accordingly, this rule will be withdrawn.

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/89	54 FR 36815
NPRM Comment Period End	11/24/89	54 FR 43436
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** G. Thomas Gitchel, Chief, State and Industry Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration, Washington, DC 20537  
 Phone: 202 307-7297

**RIN:** 1117-AA03

**2003. DEFINITION AND REGISTRATION OF DISPOSERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 821; 21 USC 822; 21 USC 823; 21 USC 824; 21 USC 871(b); 21 USC 875; 21 USC 877

**CFR Citation:** 21 CFR 1301

**Legal Deadline:** None

**Abstract:** In years past, most pharmaceutical manufacturers and

**DOJ—DEA**

**Final Rule Stage**

wholesalers, as a service to their customers, accepted returns of outdated/damaged merchandise. Also, agencies such as DEA and state Boards of Pharmacy accepted surrendered drugs or witnessed their disposal by controlled substance registrants. Over the past several years, environmental concerns and regulations have eliminated many of the disposal options which had been available. As a result, drug producers and government agencies alike are increasingly reluctant to be involved in the disposal process. Due to these factors and the time and resources expended by DEA and manufacturers, a disposer registration has become an essential link in the legitimate distribution chain. Therefore, DEA is proposing the establishment of a new category of controlled substance registrant as a disposer.

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/95	60 FR 43732
NPRM Comment Period End	10/23/95	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA 108

**Agency Contact:** James A. Pacella, Chief, Policy Unit, Office of Diversion Control, Department of Justice, Drug Enforcement Administration, Washington, DC 20537  
Phone: 202 307-7297

**RIN:** 1117-AA19

**2004. CONSOLIDATION, ELIMINATION, AND CLARIFICATION OF VARIOUS REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 802; 21 USC 871(b)

**CFR Citation:** 21 CFR 1301; 21 CFR 1302; 21 CFR 1304; 21 CFR 1305; 21 CFR 1306; 21 CFR 1307; 21 CFR 1310; 21 CFR 1311; 21 CFR 1316

**Legal Deadline:** None

**Abstract:** Consistent with the White House National Performance Review initiative, DEA has conducted a review of Title 21, Code of Federal Regulations, Parts 1300 to End. In the course of this review, DEA has

identified a number of areas in the regulations where steps can be taken to eliminate outdated requirements, consolidate related sections, and otherwise streamline the regulations. This action should reduce the regulations and provide a more consistent and easily understood framework of guidelines for industry to follow in complying with the requirements of the Controlled Substances Act.

**Timetable:**

Action	Date	FR Cite
NPRM	03/05/96	61 FR 8503
Correction Notice	03/21/96	61 FR 11594
NPRM Comment Period End	07/31/96	61 FR 8503
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 139P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297

**RIN:** 1117-AA33

**DEPARTMENT OF JUSTICE (DOJ)**

**Long-Term Actions**

**Drug Enforcement Administration (DEA)**

**2005. REPORTING ON PSYCHOTROPIC SUBSTANCES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 21 CFR 1304

**Timetable:**

Action	Date	FR Cite
NPRM	10/18/93	58 FR 53680
NPRM Comment Period End	12/17/93	
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James A. Pacella  
Phone: 202 307-7297

**RIN:** 1117-AA22

**2006. REMOVAL OF EXEMPTION FOR PRODUCTS CONTAINING EPHEDRINE WITH GUAIFENESIN (WHICH ARE LAWFULLY MARKETED UNDER THE FDCA) FROM THE CHEMICAL CONTROL PROVISIONS OF THE CSA**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 21 CFR 1309; 21 CFR 1310; 21 CFR 1313

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Howard McClain, Jr.  
Phone: 202 307-7183  
Fax: 202 307-8570

**RIN:** 1117-AA37

**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**

**Completed Actions**

**2007. DISTRIBUTION OF CHEMICAL IMPORT/EXPORT DECLARATION**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 21 CFR 1313

**Completed:**

Reason	Date	FR Cite
Final Action	09/30/96	61 FR 51003
Final Action Effective	11/29/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James A. Pacella  
 Phone: 202 307-7297

**RIN:** 1117-AA21

**2008. WAIVER OF REQUIREMENTS FOR DISTRIBUTION OF PRESCRIPTION DRUG PRODUCTS THAT CONTAIN LIST I CHEMICALS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 21 CFR 1309; 21 CFR 1310

**Completed:**

Reason	Date	FR Cite
Final Action Final Rule	06/26/96	61 FR 32925
Final Action Effective	07/26/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** G. Thomas Gitchel  
 Phone: 202 307-7297

**RIN:** 1117-AA29

**2009. MANUFACTURER REPORTING**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 21 CFR 1310

**Completed:**

Reason	Date	FR Cite
Final Action Final Rule	03/29/96	61 FR 14022
Final Action Effective	04/29/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Howard McClain, Jr.  
 Phone: 202 307-7183

**RIN:** 1117-AA30

**2010. REMOVAL OF EXEMPTION FOR CERTAIN PSEUDOEPHEDRINE PRODUCTS MARKETED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 21 CFR 1309; 21 CFR 1310; 21 CFR 1313

**Completed:**

Reason	Date	FR Cite
Withdrawn Superseded by Comprehensive Methamphetamine Cntl Act of '96	10/07/96	61 FR 52287

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Howard McClain, Jr., Chief  
 Phone: 202 307-7183

**RIN:** 1117-AA32

**DEPARTMENT OF JUSTICE (DOJ)**  
**Executive Office for Immigration Review (EOIR)**

**Proposed Rule Stage**

**2011. DISCIPLINE OF ATTORNEYS AND REPRESENTATIVES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1252b; 8 USC 1362

**CFR Citation:** 8 CFR 3; 8 CFR 292

**Legal Deadline:** None

**Abstract:** This rule amends 8 CFR parts 3 and 292 by changing both the present procedures for disciplining attorneys and representatives who practice before the Executive Office for Immigration Review, which includes the Board of Immigration Appeals, and the Immigration Courts and the procedures for disciplining attorneys and representatives who practice before the

Immigration and Naturalization Service (INS). This rule also includes a provision which as promulgated as an interim rule on April 6, 1992, pursuant to section 545 of the Immigration Act of 1990, Public Law 101-649 (IMMACT), concerning sanctions against attorneys or representatives who engage in frivolous behavior in immigration proceedings. This rule outlines the authority of EOIR to investigate and impose disciplinary sanctions against attorneys and representatives who practice before its tribunals. The rule clarifies the authority of the INS to investigate complaints regarding attorneys and representatives who practice before the INS and outlines the procedures by which the INS may initiate disciplinary proceedings before EOIR against practitioners who before the INS.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
 Phone: 703 305-0470

**RIN:** 1125-AA13

**2012. LISTING OF FREE LEGAL SERVICES PROGRAMS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**DOJ—EOIR**

**Proposed Rule Stage**

**Legal Authority:** 8 USC 1103; 8 USC 1252; 8 USC 1362  
**CFR Citation:** 8 CFR 3; 8 CFR 103; 8 CFR 212; 8 CFR 235; 8 CFR 236; 8 CFR 242; 8 CFR 287; 8 CFR 292a  
**Legal Deadline:** None  
**Abstract:** This final rule transfers the responsibility for maintaining the list of free legal services programs from the

Service to the Executive Office for Immigration Review, Office of the Chief Immigration Judge.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40552
NPRM Comment Period End	10/04/96	
Final Action	12/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
 Phone: 703 305-0470  
**RIN:** 1125-AA14

**DEPARTMENT OF JUSTICE (DOJ)  
 Executive Office for Immigration Review (EOIR)**

**Final Rule Stage**

**2013. RULES CONCERNING  
 CONDITIONAL PERMANENT  
 RESIDENCE FOR ALIEN  
 ENTREPRENEURS IN DEPORTATION  
 PROCEEDINGS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1252 note; 8 USC 1252b; 8 USC 1362; 28 USC 509; 28 USC 510; 28 USC 1746; Reorg. Plan No. 2 of 1950, sec 2; 3 CFR, 1949 to 1953 Comp, p 1002  
**CFR Citation:** 8 CFR 3  
**Legal Deadline:** None

**Abstract:** The Immigration Act of 1990 provides that an alien entrepreneur and his or her family may obtain lawful permanent residence on a conditional basis, subject to the requirements of a timely petition and interview for removal of the condition two years after obtaining such status. Termination of such status is made reviewable in deportation proceedings before an Immigration Judge. This rule sets forth the procedures that an Immigration Judge will follow in reviewing the termination by the Immigration and Naturalization Service of conditional permanent resident status of alien entrepreneurs and their families.

**Timetable:**

Action	Date	FR Cite
NPRM	11/12/93	58 FR 59953
NPRM Comment Period End	12/13/93	
Final Action	12/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041

Phone: 703 305-0470  
**RIN:** 1125-AA02

**2014. • FEES FOR MOTION TO  
 REOPEN OR RECONSIDER**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1252 note; 8 USC 1252b; 8 USC 1324b; 8 USC 1362; 28 USC 509; 28 USC 510; 28 USC 1746; Sec. 2, Reorg. Plan No.2 of 1950; 3 CFR, 1949-1953 Comp, p 1002

**CFR Citation:** 8 CFR 3; 8 CFR 103; 8 CFR 242

**Legal Deadline:** None

**Abstract:** This interim rule clarifies when and how fees must be paid when a motion to reopen or reconsider is filed concurrently with any application for relief under the immigration laws for which a fee is chargeable. This interim rule applies to motions to reopen or reconsider that are filed in all types of immigration proceedings including those over which the Immigration and Naturalization Service and the Board of Immigration Appeals have appellate jurisdiction, respectively.

This interim rule is necessary to eliminate questions that have arisen regarding the payment of fees for applications for relief that require their own separate fees when filed concurrently with motions to reopen or reconsider.

**Timetable:**

Action	Date	FR Cite
NPRM	09/03/96	61 FR 46373

Action	Date	FR Cite
NPRM Comment Period End	11/04/96	
Final Action	12/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
 Phone: 703 305-0470  
 Fax: 703 305-0443  
**RIN:** 1125-AA15

**2015. • REPRESENTATION AND  
 APPEARANCES: LAW STUDENTS  
 AND LAW GRADUATES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1252b; 8 USC 1362

**CFR Citation:** 8 CFR 292

**Legal Deadline:** None

**Abstract:** This interim rule with request for comments amends 8 CFR part 292 by revising two of the current restrictions on law students and law graduates who wish to appear before the Immigration and Naturalization Service (INS) and the Executive Office for Immigration Review (EOIR), including the Board of Immigration Appeals and the Immigration Courts. Currently, section 292.1(a)(2) requires that a law student who wishes to appear before INS and/or EOIR file a statement that he or she is participating, under the direct

**DOJ—EOIR**

**Final Rule Stage**

supervision of a faculty member or an attorney, in a legal aid program or clinic conducted by a law school. This interim rule amends this provision to also allow a law student to appear before INS and/or EOIR if he or she is under the direct supervision of an attorney in a legal aid program or clinic conducted by a nonprofit organization. This amendment merely permits law students, like law graduates, to appear while participating in an independent legal aid program.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/15/96	61 FR 53609
Interim Final Rule Effective Date	10/15/96	
Interim Final Rule Comment Period End	12/16/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice,

Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
 Phone: 703 305-0470  
 Fax: 703 305-0443 Janice B. Podolny, Associate General Counsel, Department of Justice, Executive Office for Immigration Review, 425 I Street NW., Suite 6100, Washington, DC 20536  
 Phone: 202 514-2895

**RIN:** 1125-AA16

**DEPARTMENT OF JUSTICE (DOJ)**

**Completed Actions**

**Executive Office for Immigration Review (EOIR)**

**2016. MOTIONS AND APPEALS IN IMMIGRATION PROCEEDINGS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**CFR Citation:** 8 CFR 1; 8 CFR 3; 8 CFR 103; 8 CFR 208; 8 CFR 212; 8 CFR 242

**Completed:**

Reason	Date	FR Cite
Final Action	04/29/96	61 FR 18900
Final Action Effective	07/01/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin  
 Phone: 703 305-0470

**RIN:** 1125-AA01

**DEPARTMENT OF JUSTICE (DOJ)**

**Long-Term Actions**

**General Administration (DOJADM)**

**2017. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF JUSTICE**

**Priority:** Info./Admin./Other

**CFR Citation:** 5 CFR 3801 (New); 28 CFR 45 (Removal)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rafael Alberto Madan

Phone: 202 514-3452

**RIN:** 1103-AA25

**DEPARTMENT OF JUSTICE (DOJ)**

**Prerule Stage**

**Immigration and Naturalization Service (INS)**

**2018. • DETENTION OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER CRIMES**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1186a; 8 USC 1251; 8 USC 1252; 8 USC 1252 note; 8 USC 1252b; 8 USC 1254; 8 USC 1362; 8 CFR 2

**CFR Citation:** 8 CFR 242

**Legal Deadline:** None

**Abstract:** This rule implements section 242(a)(2) of the Immigration and Nationality Act as amended by the Antiterrorism and Effective Death Penalty Act of 1996(AEDPA) by

providing that aliens convicted of certain crimes and who are in deportation proceedings may not be released from custody.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1790-96

**Agency Contact:** Leonard Loveless, Detention and Deportation Officer, Department of Justice, Immigration and

Naturalization Service, 425 I Street NW., Room 3008, Washington, DC 20536  
 Phone: 202 514-2865

**RIN:** 1115-AE49

**2019. • CANADIAN BORDER BOAT LANDING PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252

**CFR Citation:** 8 CFR 235.1(e)

DOJ—INS

Prerule Stage

**Legal Deadline:** None

**Abstract:** This rule clarifies and standardizes procedures for the application, issuance and use of Form I-68, Canadian Border Boat Landing Card.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1796-96

**Agency Contact:** Ronald J. Hays, Staff Officer, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-0912

**RIN:** 1115-AE53

**2020. • CORPORATE REORGANIZATIONS (MERGERS AND ACQUISITIONS) AND E, H, L NONIMMIGRANT CLASSIFICATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC

1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1282; 8 CFR 2

**CFR Citation:** 8 CFR 214.1(h)

**Legal Deadline:** None

**Abstract:** The Service solicits comments on establishing policy and administrative procedure for simplifying the processing of nonimmigrant temporary workers involved in mergers, acquisitions consolidations or other corporate restructurings. Streamlining Service Center procedures in this respect is in the public interest in light of increased numbers of corporate reorganizations anticipated in the future.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/96	
NPRM	03/00/97	
Final Action	09/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1797-96

**Agency Contact:** Katherine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014  
Fax: 202 514-0198

**RIN:** 1115-AE55

**2021. • PETITION FOR EMPLOYMENT CREATION ALIENS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1183; 8 USC 1184; 8 USC 1186a; 8 USC 1186b; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226

**CFR Citation:** 8 CFR 204; 8 CFR 216; 8 CFR 235

**Legal Deadline:** None

**Abstract:** The Service solicits comments on necessary policy and administrative procedure for resolving current regulatory concerns regarding immigrant investors.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/96	
NPRM	03/00/97	
Final Action	09/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1798-96

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014  
Fax: 202 514-0198

**RIN:** 1115-AE56

**DEPARTMENT OF JUSTICE (DOJ) Immigration and Naturalization Service (INS)**

**Proposed Rule Stage**

**2022. REVISED GROUNDS OF EXCLUSION, PAROLE OF ALIENS INTO THE UNITED STATES, AND WAIVERS OF INADMISSIBILITY FOR IMMIGRANTS AND NONIMMIGRANTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1201; 8 USC 1304; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1186A; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 212; 8 CFR 214; 8 CFR 238; 8 CFR 103; 8 CFR 204; 8 CFR 207; 8 CFR 208; 8 CFR 209; 8 CFR 210; 8 CFR 213; 8 CFR 223a; 8 CFR 235; 8 CFR 236; 8 CFR 238; 8 CFR 239; ...

**Legal Deadline:** None

**Abstract:** This regulation provides changes to the grounds of exclusion applicable to those seeking admission to the US either on a temporary or permanent basis, and sets forth the circumstances under which discretionary waivers of excludability are available. The amendments reflect statutory changes made by section 601 of the Immigration Act of 1990 (IMMACT), as well as subsequent

technical amendments to the statute including NIH Revitalization Act, 1994. Technical Corrections Act, and the Anti-Terrorism and Effective Death Penalty Act of 1996. The rule is necessary to ensure implementation of, and regulatory compliance with, the statute as enacted by Congress.

This rule also changes language in 8 CFR 209.2(b) that pertains to the adjustment of status of aliens who, though granted asylum, are determined to be inadmissible aliens pursuant to the provisions set forth in IMMACT.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

DOJ—INS

Proposed Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1413-92

Consolidated INS Rules 1304, RIN 1115-AC01; 1235, RIN 1115-AB39; 1232, RIN 1115-AB45; and 1648, RIN 1115-AD62.

**Agency Contact:** Sophia Cox, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AB45

**2023. STANDARDIZED TESTING FOR NATURALIZATION; PROCEDURES FOR APPROVAL OF TEST PROVIDERS**

**Regulatory Plan:** This entry is Seq. No. 51 in Part II of this issue of the Federal Register.

**RIN:** 1115-AD52

**2024. NONIMMIGRANT CLASSES; DIPLOMAT AND GOVERNMENT REPRESENTATIVES; TRANSITS; REQUIREMENTS FOR ADMISSION, EXTENSION AND MAINTENANCE OF STATUS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule clarifies status, employment, control, and travel limitations for diplomats and representatives of international organizations, including the United Nations. The rule will be undertaken as a result of a working relationship between the INS and the Department of State. The United States Mission to the United Nations will participate in drafting regulations pertaining to the United Nations Headquarters District.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1631

INS No. 1706 (RIN 1115-AE05) will be incorporated in this rulemaking.

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AD57

**2025. EXECUTING FINAL ORDER OF EXCLUSION OR DEPORTATION; CONFORMING 72-HOUR NOTICE PROVISIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1227; 8 USC 1255; 8 USC 1253

**CFR Citation:** 8 CFR 237; 8 CFR 243

**Legal Deadline:** None

**Abstract:** This rule streamlines the regulatory process for executing a final order of exclusion by sliding forward the 72-hour waiting period, which currently falls after the Service assumes custody of the alien pursuant to a notice to surrender or arrest, to the period immediately after service of the decision upon the alien, in conformity to the current deportation procedure. The rule also eliminates the subsequent step of obtaining the alien's specific consent or request to waive the 72-hour period when the alien has already waived appeal of the Immigration Judge's exclusion or deportation order on the record of proceeding before the Immigration Judge. These revisions are necessary in order to eliminate unnecessary detention costs to the taxpayer and potential delays resulting from the current 72-hour provision.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1661-94

**Agency Contact:** Cristina Hamilton, Associate General Counsel, General Counsel, Department of Justice,

Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536  
Phone: 202 514-2895

**RIN:** 1115-AD71

**2026. NONIMMIGRANT CLASSES; S CLASSIFICATION; LAW ENFORCEMENT INITIATIVES; ALIEN WITNESSES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1324a; 8 CFR 2

**CFR Citation:** 8 CFR 212; 8 CFR 214; 8 CFR 274a; 8 CFR 299; 8 CFR 103

**Legal Deadline:** None

**Abstract:** Two regulatory initiatives dealing with the processing of alien witnesses have been prepared by the INS. INS No. 1683-94 provides the application and approval process for the admission of aliens in S nonimmigrant classification. It provides guidance to the various law enforcement agencies needing alien witnesses and informants to complete critical law enforcement initiatives in the United States. INS no. 1728-95 establishes a fee for the processing of Form I-854, Inter-Agency Alien Witness and Informant Record, for Law Enforcement Agency (LEA) requests for S nonimmigrant classification for eligible alien witnesses and informants. The fee recovers the costs of the processing of requests for immigration benefits, and is needed to comply with specific Federal immigration laws and Federal user fee statute and regulations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS No. 1683) Eff. 8-25-95; Com. due 12-4-95	08/25/95	60 FR 44260
Interim Final Rule (INS No. 1683) Correction	10/05/95	60 FR 52068
Interim Final Rule (INS No. 1683) Correction	10/05/95	60 FR 52248
Final Rule (INS No. 1683)	12/00/96	
NPRM (INS No. 1728)	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

DOJ—INS

Proposed Rule Stage

**Additional Information:** INS No. 1683-94; and INS No. 1728-95.

**Agency Contact:** Katherine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AD86

**2027. INSPECTION OF ALIEN CREW MEMBERS; 90-DAY WAIVER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1184; 8 USC 1258; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 235; 8 CFR 252

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the Immigration and Naturalization Service ("the Service") regulations by establishing a procedure whereby bona fide alien crewmen actively serving on board a maritime ferry or a maritime commercial cruise ship may, at the discretion of the Service, be inspected one time during every ninety-day period during which the cruise ship conducts operations between Ports-Of-Entry (POEs) in the United States and a foreign country. This rule is necessary in order for the Service to formally codify the long-standing practice of authorizing certain maritime crewmen landing privileges in the United States without further inspection during the intervening time between 90-day full-crew inspections.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1695-95

**Agency Contact:** Catherine Paler-Amaya, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536

Phone: 202 616-7496

**RIN:** 1115-AD95

**2028. RECOGNIZED PROVIDERS OF IMMIGRATION ASSISTANCE AND FORMS PREPARATION SERVICES**

**Regulatory Plan:** This entry is Seq. No. 52 in Part II of this issue of the Federal Register.

**RIN:** 1115-AE18

**2029. EMPLOYER SANCTIONS MODIFICATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1324a; 8 CFR 2

**CFR Citation:** 8 CFR 274a

**Legal Deadline:** None

**Abstract:** The Service is considering further changes to streamline the verification and enforcement process requirements related to the Employer Sanctions provisions of the Immigration Control and Reform Act.

INS No. 1738 will allow INS to issue and serve a notice of intent to fine upon an alleged violator after the INS has determined that a person or entity has violated section 274a of the Act. This rule will also allow interested parties to electronically generate blank copies of the Employment Eligibility Verification Form, (Form I-9).

INS No. 1737 will allow the INS to discontinue its practice of providing any person or entity required to retain Forms I-9 with at least 3 days notice prior to an inspection of the Forms I-9. This practice is not mandated by law, and the INS believes that it may have impeded investigations by giving employers the opportunity to make changes or corrections to forms or to fraudulently create or destroy Forms I-9.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS 1738)	10/07/96	61 FR 52235
Correction	10/29/96	61 FR 55840
Proposed Rule (INS 1737)	11/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS Nos. 1737 and 1738

**Agency Contact:** Angelo Sorrento, Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536

Phone: 202 514-0747

**RIN:** 1115-AE21

**2030. APPREHENSION, CUSTODY AND DETENTION; AGGRAVATED FELONY CONVICTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1186a; 8 USC 1251; 8 USC 1252; 8 USC 1252 note; 8 USC 1252a; 8 USC 1252b; 8 USC 1254; 8 USC 1362; 8 CFR 2

**CFR Citation:** 8 CFR 242

**Legal Deadline:** None

**Abstract:** This rule amends existing INS regulations to clarify that aliens convicted of aggravated felonies both before and after November 1988 may be subject to the higher bond levels under section 242(a)(2)(B) of the Immigration and Nationality Act. This minor clarification is necessary in order to harmonize INS regulations with the Act and with Board of Immigration Appeals and court decisions.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1747-96

**Agency Contact:** Ronald W. Dodson, Senior Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536

Phone: 202 514-0747

**RIN:** 1115-AE25

## DOJ—INS

## Proposed Rule Stage

**2031. ELIGIBILITY OF PERSONS FOR REFUGEE STATUS AND WITHHOLDING OF DEPORTATION; ELIMINATION OF PAROLE REVIEW PROGRAM FOR EXCLUDABLE MARIEL CUBANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1158; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1282; 8 CFR 2; 31 USC 9701**CFR Citation:** 8 CFR 208; 8 CFR 212**Legal Deadline:** None**Abstract:** This rule would amend two of the existing sections of 8 CFR governing eligibility for refugee status and one of the sections governing eligibility for withholding of deportation. It also would modify sections pertaining to the parole review program for excludable Mariel Cubans.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** INS No. 1752

Additional INS contact Bo Cooper

**Agency Contact:** Scott Busby, Assistant General Counsel, General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536

Phone: 202 514-2895

**RIN:** 1115-AE30**2032. MANIFEST REQUIREMENTS FOR IN-TRANSIT PASSENGERS****Priority:** Routine and Frequent**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1221; 8 USC 1228; 8 USC 1229**CFR Citation:** 8 CFR 231**Legal Deadline:** None**Abstract:** This rule will delete part 231, section 1(b) from title 8 of the Code of Federal Regulations. The rule will require the carrier to present an Arrival/Departure Manifest as required under Section 231 of the Immigration and Naturalization Act. This will necessitate the carrier to present an Arrival/Departure Record, Form I-94T,

for each in-transit passenger coming to the United States. Under the current regulations, carriers are exempt presentation if the in-transit passenger arrives and departs on the same aircraft on a direct through flight. The rule will eliminate this exemption. The change is necessary so that the Service can identify and intercept those passengers who are listed in federal lookout systems as being ineligible for admission to the United States or wanted for past criminal action by a law enforcement agency.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Federal**Additional Information:** INS No. 1757**Agency Contact:** Robert F. Hutnick, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7499**RIN:** 1115-AE37**2033. CONTRACTS WITH TRANSPORTATION LINES; LIMITING TRANSFERS OF TRANSIT WITHOUT VISA ALIENS IN THE UNITED STATES TO ONE; ELECTRONIC TICKETING****Priority:** Substantive, Nonsignificant**Legal Authority:** 8 USC 1103; 8 USC 1228; 8 CFR 2**CFR Citation:** 8 CFR 238**Legal Deadline:** None**Abstract:** This rule will limit the number of stops for Transit Without Visa (TWOV) applicants in the United States to one. It will allow TWOV passengers to present other than airline tickets to inspectors as evidence of continued transit through the United States.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Federal**Additional Information:** INS No. 1766**Agency Contact:** Robert Hutnick, Assistant Chief Inspector, Examinations, Department of Justice,Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-2694**RIN:** 1115-AE41**2034. EXAMINATIONS FEE ACCOUNT SCHEDULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 8 USC 1356; PL 100-459; 31 USC 9701**CFR Citation:** 8 CFR 103**Legal Deadline:** Final, Statutory, October 1, 1997.**Abstract:** INS No. 1767 proposes to adjust the INS' Immigration Examinations Fee Account fee schedule to include a surcharge to fund the Cuban-Haitian Entrant Program. The fee adjustment is necessary to comply with a Congressional directive to transfer funding of the Program from the Community Relations Service to the Immigration Examinations Fee Account. Implementation of this rule will ensure that sufficient revenue is generated through the various Immigration examinations Fee Account fees to fund the Cuban-Haitian Entrant Program.

INS No. 1768 proposes to adjust the Immigration Examinations Fee account to reflect the cost of providing immigration and naturalization services, plus surcharges for the Asylum Program, as directed by Congress. The fee adjustment is necessary to comply with Federal statutes and Federal cost accounting standards. Implementation of this rule will ensure that sufficient funds are available for immigration and naturalization services, the Asylum Program, and to improve the quality of services provided to users.

**Timetable:**

Action	Date	FR Cite
NPRM (INS No. 1767)	11/00/96	
NPRM (INS No. 1768)	02/00/97	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Federal**Additional Information:** INS Nos. 1767 and 1768**Agency Contact:** Michael Natchuras, Chief, Fee Policy and Rate Setting Branch, Budget, Office of Management, Department of Justice, Immigration and Naturalization Service, 425 I Street

DOJ—INS

Proposed Rule Stage

NW., Room 6240, Washington, DC 20536  
Phone: 202 616-2754

RIN: 1115-AE42

**2035. • JUDICIAL REVIEW OF DECISIONS OF THE EXECUTIVE OFFICE FOR IMMIGRATION AND NATURALIZATION SERVICE SERVICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1242 note; 8 USC 1324b; 28 USC 509; 28 USC 510; 28 USC 1746

**CFR Citation:** 8 CFR 3; 8 CFR 103

**Legal Deadline:** None

**Abstract:** This rule amends the Executive Office of Immigration Review ("EOIR") and the Immigration and Naturalization Service ("Service") regulations specifically when an administration decision under the Immigration and Nationality Act is final for purpose of judicial review under the Administrative Procedures Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Margaret M. Philbin, General Counsel, Executive Office of Immigration Review, Department of Justice, Immigration and Naturalization Service, 5107 Leesburg Pike Suite 2400, Falls Church, VA 22401  
Phone: 703 305-0470

RIN: 1115-AE46

**2036. • EXPEDITED EXCLUSION**

**Regulatory Plan:** This entry is Seq. No. 53 in Part II of this issue of the Federal Register.

RIN: 1115-AE47

**2037. • AGREEMENT PROMISING NON-DEPORTATION OR OTHER IMMIGRATION BENEFITS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 301; 28 USC 509; 28 USC 509; 28 USC 510; 28 USC 515; 28 USC 516; 28 USC 517; 28 USC 518; 28 USC 519

**CFR Citation:** 28 CFR 0.197

**Legal Deadline:** None

**Abstract:** Requires INS consent for agreements not to deport or agreements promising immigration benefits.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/13/96	61 FR 48405
NPRM Comment	11/12/96	
Period End		
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cristina Hamilton, Chief Enforcement Division, Office of General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536  
Phone: 202 514-2895  
Fax: 202 514-0455

RIN: 1115-AE50

**2038. • DEFINITION OF THE TERM "LAWFULLY PRESENT" FOR PURPOSES OF APPLYING FOR TITLE II BENEFITS UNDER THE SOCIAL SECURITY ACT**

**Priority:** Other Significant

**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252B; 8 USC 1304; 8 USC 1356; 31 USC 9701; EO 12356; 47 FR 14874 to 15557; 1982 Comp., p. 166; 8 CFR 2

**CFR Citation:** 8 CFR 103

**Legal Deadline:** NPRM, Statutory, September 1, 1996.

**Abstract:** Section 401(a) of the Personal Responsibility and Work Reconciliation Act of 1996 provides that, with limited exceptions, only qualified aliens, as defined under section 431, may receive certain Federal public benefits. Section 401(b)(2) provides an exception which allows aliens who are "lawfully present in the United States" as determined by the Attorney General to receive Social Security benefits under title II of the Social Security Act.

This interim rule amends the Immigration and Naturalization Service (Service) regulations to define the term "an alien who is lawfully present in the United States" so that the Social Security Administration may determine which aliens are eligible for benefits under title II of the Social Security Act. Aliens who are considered "lawfully present in the United States," however, must otherwise satisfy the requirements for benefits under title II of the Social Security Act.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/96	61 FR 47039
NPRM Comment	11/05/96	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** INS No. 1792-96

**Agency Contact:** Derek C. Smith, Assistant General Counsel, Office of the General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street, Room 3214, Washington, DC 20536  
Phone: 202 514-2895

RIN: 1115-AE51

**2039. • PETITIONING REQUIREMENTS FOR THE H NONIMMIGRANT CLASSIFICATION**

**Priority:** Routine and Frequent

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 2

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the INS regulations to accommodate the need of certain U.S. workers. Specifically, this rule proposes to amend the Service's regulations with respect to the submission of itineraries and labor condition applications.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

DOJ—INS

Proposed Rule Stage

**Additional Information:** INS No. 1769-96  
**Agency Contact:** John W. Brown, Staff Officer, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
 Phone: 202 514-3240  
**RIN:** 1115-AE52

1201; 8 USC 1252 note; 8 USC 1252a; 8 USC 1304; 8 USC 1356; 31 USC 9701  
**CFR Citation:** 8 CFR 102; 8 CFR 212; 8 CFR 235; 8 CFR 264; 8 CFR 286  
**Legal Deadline:** None

**Small Entities Affected:** None  
**Government Levels Affected:** None

**Additional Information:** INS No. 1773-96

**Agency Contact:** Ronald J.Hays, Assistant Chief Inspector, Inspections, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
 Phone: 202 514-0912  
 Fax: 202 514-8345

**RIN:** 1115-AE54

**2040. • CHARGING OF FEES FOR MEXICAN BORDER CROSSING CARDS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1103; 8 USC

**Abstract:** This rule proposes to amend the regulations to allow the Immigration and Naturalization Service (INS Service) to charge a fee for the processing and issuance of Mexican Border Crossing Cards (BCCs), Form I-586.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/97	

**DEPARTMENT OF JUSTICE (DOJ)**  
**Immigration and Naturalization Service (INS)**

Final Rule Stage

**2041. ARREST AND DETENTION OF AGGRAVATED FELONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1251; 8 USC 1252; 8 USC 1254; 8 USC 1362; 8 CFR 2  
**CFR Citation:** 8 CFR 212; 8 CFR 242; 8 CFR 244  
**Legal Deadline:** None

**Abstract:** Changes to the current regulations are necessitated by the Anti-Drug Abuse Act of 1988 provisions relating to aliens convicted of aggravated felonies. The regulations delineate when a warrant of deportation may be used in lieu of a warrant of arrest to take an alien into custody.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule; Eff. 6-19-90; Com. Due 7-19-90	06/19/90	55 FR 24858
Final Action	10/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Additional Information:** INS No. 1209

**Agency Contact:** Ronald W. Dodson, Senior Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536

Phone: 202 514-0747  
**RIN:** 1115-AB19

**2042. NONIMMIGRANT CLASSES; NATO-1, 2, 3, 4, 5, 6, AND 7; CONTROL OF EMPLOYMENT OF ALIENS (SPECIAL REQUIREMENT FOR ADMISSION, EXTENSION AND MAINTENANCE OF STATUS; NATO)**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186a  
**CFR Citation:** 8 CFR 214; 8 CFR 274a; 8 CFR 248; 8 CFR 299  
**Legal Deadline:** None

**Abstract:** Collaborative effort with INS, DOS, DOD and NATO on revising Service regulations relating to employment authorization for dependents of certain principal aliens in NATO status. The revision is necessary in order to expand and secure employment opportunities on the basis of reciprocity for dependents of US citizens in NATO status in NATO member countries and to make NATO dependent employment provisions conform with those of A and G nonimmigrants.

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/94	59 FR 5533
NPRM Comment Period End	03/09/94	
Final Action	11/00/96	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal

**Additional Information:** INS No. 1328-93

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
 Phone: 202 514-5014  
**RIN:** 1115-AB52

**2043. FIELD OFFICERS; POWERS AND DUTIES; SUBPOENA**

**Priority:** Routine and Frequent  
**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1251; 8 USC 1252; 8 USC 1357; 8 CFR 2

**CFR Citation:** 8 CFR 287

**Legal Deadline:** None

**Abstract:** This rule permits service of a subpoena to be made by an immigration officer except when the subpoena is issued by an immigration judge on behalf of a party other than the INS. The rule permits an immigration officer to ask for a subpoena from an immigration judge. It deletes the Regional Director, Office of Professional Responsibility, as an official who may issue a subpoena and/or designate service of same. The rule specifically permits the subpoenaing of demonstrative evidence.

**Timetable:**

Action	Date	FR Cite
NPRM	09/26/91	56 FR 48766

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Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	10/28/91	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1242

**Agency Contact:** Ronald W. Dodson, Senior Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536  
Phone: 202 514-0747

**RIN:** 1115-AB63

**2044. NONIMMIGRANT CLASSES; NORTH AMERICAN FREE TRADE AGREEMENT (U.S.-CANADA FREE-TRADE AGREEMENT AMENDMENTS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 CFR 2

**CFR Citation:** 8 CFR 214; 8 CFR 103; 8 CFR 212; 8 CFR 274a

**Legal Deadline:** None

**Abstract:** This regulation provides amendments to part 214 in order to bring it into conformance with procedural changes effected by INS in 1993 and provisions of the North American Free Trade Agreement.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule; Eff. 1-1-94; Com. Due 2-28-94	12/30/93	58 FR 69205
Interim Final Rule; Correction	01/13/94	59 FR 1992
Final Action	10/00/96	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1611-93

Cross reference INS No. 1310 and INS No. 1258.

**Agency Contact:** Helen V. deThomas, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AB72

**2045. CONTROL OF EMPLOYMENT OF ALIENS**

**Regulatory Plan:** This entry is Seq. No. 54 in Part II of this issue of the Federal Register.

**RIN:** 1115-AB73

**2046. VISA WAIVER PILOT PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1356; 8 USC 1187; 8 USC 1103; 8 CFR 2

**CFR Citation:** 8 CFR 217

**Legal Deadline:** None

**Abstract:** The Visa Waiver Pilot Program allows nationals of designated countries to apply for admission to the US at land border ports, air and sea ports and to enter the US for business or pleasure for up to 90 days without first obtaining a nonimmigrant visa.

INS Rule No. 1799 will finalize all those Visa Waiver Pilot Program countries which were added through the publication of interim regulations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS No. 1447) Eff. 10-1-91; Com. Due 10-15-91	09/13/91	56 FR 46716
Public Notice (INS No. 1674) Eff. 10-25-94, Cut-off date 9-30-96	02/21/95	60 FR 9699
Interim Final Rule (INS No. 1685) Eff. 4/1/95; Com. due 5/30/95	03/28/95	60 FR 15855
Interim Final Rule (INS No. 1777)	07/08/96	61 FR 35598
Interim Final Rule (INS No. 1782-96 With Comments (Australia)	07/29/96	61 FR 39721
Final Rule (INS No. 1799)	01/00/97	
Interim Final Rule (INS No. 1787) With Comments (Czech Republic)	00/00/00	
Interim Final Rule (INS No. 1786-96 With Comments (Slovenia)	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1447-91, 1622-94, 1685-95, 1777-96, and 1782 are to be consolidated into one final rule making which is designated as INS No. 1799.

INS No. 1799 will be jointly published by INS and the Department of State.

INS No. 1447R is cancelled.

The Czech Republic and Slovenia are awaiting country approval by the Attorney General for participation in this program.

The Visa Waiver Pilot Program expired on September 30, 1996.

**Agency Contact:** Tom Graber, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7496

**RIN:** 1115-AB93

**2047. MARRIAGE DURING DEPORTATION OR EXCLUSION PROCEEDINGS; BONA FIDE MARRIAGE EXEMPTION TO PROHIBITION AGAINST APPROVAL OF RELATIVE VISA PETITION OR ADJUSTMENT OF STATUS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 9 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204; 8 CFR 245

**Legal Deadline:** None

**Abstract:** This regulation allows a citizen or lawful permanent resident petitioner, or an alien applicant for permanent resident status, to seek an exemption from the general prohibition against approval of immigration benefits based upon a marriage entered into while the beneficiary or applicant was under deportation or exclusion proceedings. This regulation allows persons who have bona fide marriages to be excused from meeting the 2 year foreign residency requirement.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule, Eff. 6-20-91; Com. Due 7-22-91	06/20/91	56 FR 28311
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1419-91, Interim Rule under this RIN titled Powers and Duties of Service Officers; Petition To Classify Alien as Immediate Relative of a United States Citizen or

DOJ—INS

Final Rule Stage

Preference Immigrant; Adjustment of Status to That of a Person Admitted for Permanent Residence

**Agency Contact:** Rita Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AC43

**2048. REMOVAL OF CONDITIONAL BASIS AND LAWFUL PERMANENT RESIDENCE FOR CERTAIN ALIEN SPOUSES AND SONS AND DAUGHTERS; BATTERED AND ABUSED CONDITIONAL RESIDENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1154; 8 USC 1184; 8 USC 1186a; 8 CFR 2

**CFR Citation:** 8 CFR 216

**Legal Deadline:** None

**Abstract:** This rule amends the existing waiver provisions and establishes a third basis for waiving the joint filing requirement to remove the conditional basis of lawful permanent residence for certain alien spouses, sons, and daughters. This rule also allows battered or abused conditional residents to request removal of conditions without filing a joint petition with the abuser.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule, Eff. 5-16-91; Com. Due 6-17-91	05/16/91	56 FR 22635
Final Action	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1423-91

**Agency Contact:** Rita Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AC47

**2049. TREATY ALIENS, E CLASSIFICATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1184; 8 CFR 2

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule codifies existing policy guidelines on the classification of nonimmigrant treaty aliens. The regulation is necessary to fulfill U.S. treaty obligations, avoid confusion and ensure uniform adjudication of applications, and to facilitate change of status and stay of business traders and investors.

The rule responds to the need for uniformity between the Immigration and Naturalization Service and the Department of State, which have dual jurisdiction over E treaty aliens. Both the Service and the Department of State will use the same form for processing requests for E classification. It will encourage trade and investment in the United States by citizens of countries with whom the United States has treaties and ensure fair and consistent adjudication and enforcement by Service field offices throughout the United States and in the reviewing courts.

**Timetable:**

Action	Date	FR Cite
NPRM	08/30/91	56 FR 42952
NPRM Comment Period End	10/15/91	
Final Action	10/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1427-91

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AC51

**2050. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE: CONDITIONAL RESIDENTS AND FIANC(E)S**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 USC 1257; 8 CFR 2

**CFR Citation:** 8 CFR 245

**Legal Deadline:** None

**Abstract:** This rule clarifies procedures for fiance(e)s who marry after the 90 day period of fiance(e) admission has ended; and also clarifies that persons who have had conditional residence terminated are not eligible to adjust status.

**Timetable:**

Action	Date	FR Cite
NPRM	08/20/96	61 FR 43028
NPRM Comment Period End	10/21/96	
Final Action	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1353-91

**Agency Contact:** Rita A. Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AC70

**2051. TEMPORARY ALIEN WORKERS SEEKING CLASSIFICATION UNDER THE IMMIGRATION AND NATIONALITY ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186A; 8 USC 1187; 8 CFR 2; 8 USC 1104; 8 USC 1182; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This regulation implements provisions of the Immigration Act of 1990 (IMMACT), Pub. L. 101-649, relating to temporary alien workers seeking nonimmigrant classification and admission to the US under sections 101(a)(15)(H),(O), and (P) of the Immigration and Nationality Act (Act).

INS Regulation No. 1653 proposes to bring the H, O, and P Classification regulations into conformity with the employer sanctions provisions of Section 274a of the Act. It precludes foreign employers from filing petitions for O and P nonimmigrant aliens. Prospective foreign employers seeking to utilize these classifications will be required to employ the services of an established US agent in order to file a petition for an O or P nonimmigrant. The rule also would amend the H nonimmigrant regulations by requiring foreign employers seeking to petition for H-2B nonimmigrants to also utilize the services of an established US agent.

**Timetable:**

Action	Date	FR Cite
NPRM (INS 1653-94) Com. Due 10-14-94	08/15/94	59 FR 41843
Final Action (INS 1653-94)	10/00/96	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1653-94; INS No. 1805-96

**Agency Contact:** John Brown, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AC72

**2052. NONIMMIGRANT CLASSES; B VISITOR FOR BUSINESS OR PLEASURE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282; 8 CFR 2; 8 USC 1324a

**CFR Citation:** 8 CFR 214; 8 CFR 274a

**Legal Deadline:** None

**Abstract:** This rule incorporates into current regulations the information contained in the Service's Operations Instructions (OIs) and the interpretive note material to Volume 9 of the Department of State's Foreign Affairs Manual (FAM) relating to the B-1 (visitor for business) and B-2 (visitor for pleasure) classifications, with appropriate modifications due to the passage of the Immigration Act of 1990 and the Miscellaneous and Technical

Immigration and Naturalization Amendments of 1991. This rule clarifies the criteria for according B-1 or B-2 classification to applicants for admission to the US. In addition, by incorporating the applicable portions of the instructions presently contained in the OIs and the FAM notes into regulations such information will be more readily available to the public.

**Timetable:**

Action	Date	FR Cite
NPRM	11/05/93	58 FR 58982
NPRM Comment Period End	12/06/93	
Final Action	12/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1441-93

**Agency Contact:** Helen V. deThomas, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AC89

**2053. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE: INTERVIEW**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 USC 1257; 8 CFR 2

**CFR Citation:** 8 CFR 245

**Legal Deadline:** None

**Abstract:** Existing regulations require that most applicants for adjustment of status to that of permanent residence be interviewed by an immigration officer. This interim rule amended the interview requirement to allow the Service to waive the requirement where it is determined that an interview is not necessary. This action eased the burden of unproductive interviews on the Service and the public.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Eff. 11-2-92; Com. Due 12-2-92	11/02/92	57 FR 49374
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1373-92

**Agency Contact:** Gerard Casale, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536-0002  
Phone: 202 514-5014

**RIN:** 1115-AD12

**2054. F, J, AND M NONIMMIGRANT STUDENT REQUIREMENTS FOR ADMISSION, TRACKING, MAINTENANCE OF STATUS AND FOR EMPLOYMENT AUTHORIZATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186a; 8 USC 1324a

**CFR Citation:** 8 CFR 214; 8 CFR 274a

**Legal Deadline:** None

**Abstract:** This rule amends title 8 of the Code of Federal Regulations to clarify current regulations affecting F-1, J-1, and M-1 nonimmigrant students and their dependants; and to make necessary changes regarding controls over all foreign students in the United States.

This regulation re-engineers existing policies and procedures affecting the control and tracking of foreign students and the schools which are authorized to admit them. It will establish effective controls for monitoring and tracking of all nonimmigrant students (F, J, and M classifications). (INS 1458)

A pilot test will be conducted to ascertain the practical feasibility and viability of the student/school re-engineering effort. (INS 1762)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Eff. 7-20-92; Com. Due 9-18-92	07/20/92	57 FR 31954
2nd Interim Final Rule (INS 1458)	01/00/97	
Notice of Pilot Program (INS 1762)	03/00/97	

**Small Entities Affected:** None

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## Final Rule Stage

**Government Levels Affected:** Federal  
**Additional Information:** INS Nos. 1458 and 1762; INS No. 1610(RIN 1115-AD37) will be incorporated into this rule.

**Agency Contact:** Maurice Berez, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
 Phone: 202 514-3228

**RIN:** 1115-AD16

### 2055. INSPECTION OF PERSONS APPLYING FOR ADMISSION

**Priority:** Routine and Frequent

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1353a; 8 USC 1353b; 31 USC 9701

**CFR Citation:** 8 CFR 235

**Legal Deadline:** None

**Abstract:** This rule provides for the reimbursement to the INS for certain direct salary costs and administrative overhead charges in its overtime billing for arriving trains and vessels under 8 USC 1353b, for all immigration inspection services rendered to crews, and for services rendered to passengers not exempt under 8 USC 1353b or 1356(g).

**Timetable:**

Action	Date	FR Cite
Proposed Rule Com. Due 1-21-93	12/22/92	57 FR 60741
2nd Proposed Rule	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1512-92

**Agency Contact:** Rick Marks, Financial Management, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6010, Washington, DC 20536  
 Phone: 202 616-7683

**RIN:** 1115-AD17

### 2056. MEXICAN AND CANADIAN NONRESIDENT ALIEN BORDER CROSSING CARDS (BCCS)

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1183; 8 USC 1201; 8 USC 1102; 8 USC 1201a; 8 USC 1301; 8 USC 1305; 8 CFR 2

**CFR Citation:** 8 CFR 212; 8 CFR 264; 8 CFR 299

**Legal Deadline:** None

**Abstract:** This rule amends the Immigration and Naturalization Service (Service) regulations to clarify and standardize procedures for the application and issuance of border crossing cards to citizens and residents of Mexico or Canada, or British subjects residing permanently in Canada who wish to enter the United States for business or pleasure; lists types of documentation acceptable as proof of residence or economic solvency; designates specific geographic jurisdictions for the ports to accept applications and issue BCCs; and, provides for issuance of temporary border crossing documents to applicants who appear eligible for BCC issuance. This rule promotes uniformity and clarity in the application requirements, decision-making process, and issuance of entry documents, while enhancing effective and efficient border enforcement within the border crossing card program.

**Timetable:**

Action	Date	FR Cite
NPRM	02/06/96	61 FR 4374
NPRM Comment Period End	04/08/96	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1390

**Agency Contact:** Ronald Hays, Assistant Chief Inspector,, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
 Phone: 202 514-2694

**RIN:** 1115-AD24

### 2057. CLASSIFICATION OF CERTAIN SCIENTISTS OF THE INDEPENDENT STATES OF THE FORMER SOVIET UNION AND BALTIC STATES AS EMPLOYMENT-BASED IMMIGRANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule implements the provisions of the Soviet Scientists Immigration Act of 1992 (PL 102-509) by providing petitioning procedures to establish eligibility as immigrants for certain qualifying scientists.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Eff. 5-27-93; Com. Due 6-28-93	05/27/93	58 FR 30699
2nd Interim Final Rule, Eff. 10-19-95; Com. Due 12-18-95	10/19/95	60 FR 54027
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1602-92

**Agency Contact:** Kathryn Craig, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
 Phone: 202 514-3228

**RIN:** 1115-AD29

### 2058. ADJUSTMENT OF STATUS; CERTAIN NATIONALS OF THE PEOPLES REPUBLIC OF CHINA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 USC 1257

**CFR Citation:** 8 CFR 245

**Legal Deadline:** None

**Abstract:** This regulation implements the provisions of Public Law 102-404, the Chinese Student Protection Act of 1992, by providing adjustment of status procedures for certain nationals of the Peoples Republic of China. This regulation allows qualified nationals of the Peoples Republic of China to become lawful permanent residents.

**DOJ—INS**

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**Timetable:**

Action	Date	FR Cite
Interim Final Rule Eff. 7-1-93; Com. Due 8-2-93	07/01/93	58 FR 35832
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1607-93

**Agency Contact:** Rita A. Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD33

**2059. PRIVILEGE OF COMMUNICATION**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1252; 8 CFR 2

**CFR Citation:** 8 CFR 242

**Legal Deadline:** None

**Abstract:** This rule updates the list of countries with which the United States has existing treaties requiring immediate communication with appropriate consular or diplomatic officers whenever nationals of those countries are detained in exclusion or expulsion proceedings.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/29/95	60 FR 16042
Interim Final Rule Effective	03/29/95	
Interim Final Rule Comment Period End	05/30/95	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1616

**Agency Contact:** Ronald W. Dodson, Senior Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536  
Phone: 202 514-0747

**RIN:** 1115-AD50

**2060. PETITIONS FOR EMPLOYMENT-BASED IMMIGRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186A; 8 USC 1255; 8 CFR 2; 8 USC 1153(b)

**CFR Citation:** 8 CFR 204; 8 CFR 214

**Legal Deadline:** None

**Abstract:** This proposed rule will make changes to the regulations governing employment-based immigrant petitions. These regulations were promulgated in November of 1991. Since then, the Service has discovered certain provisions in the regulations which need clarification or revision. The Service also needs to incorporate certain changes made by the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 into the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/06/95	60 FR 29771
NPRM Comment Period End	08/07/95	
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1633-93

**Agency Contact:** Michael W. Straus, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD55

**2061. PROCEDURES FOR FILING A DERIVATIVE PETITION (FORM I-730) FOR A SPOUSE AND UNMARRIED CHILDREN OF A REFUGEE/ASYLEE**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1157; 8 USC 1159; 8 USC 1182; 8 USC 1158; 8 USC 1226; 8 USC 1252; 8 USC 1282; 8 CFR 2; 31 USC 9701

**CFR Citation:** 8 CFR 207; 8 CFR 208

**Legal Deadline:** None

**Abstract:** This rule responds to the family reunification needs of refugees by establishing an equitable and consistent following-to-join policy for refugees which parallels the current following-to-join procedures for asylees. This rule also proposes to amend asylum regulations by removing children born to or legally adopted by the principal alien and spouse after approval of the principal alien's asylum application from qualified relationship.

**Timetable:**

Action	Date	FR Cite
NPRM	07/09/96	61 FR 35984
Interim Final Rule	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1639

**Agency Contact:** Ramonia Law-Hill, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD59

**2062. ISSUANCE OF CHARGING DOCUMENTS BY ASYLUM OFFICERS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 31 USC 9701

**CFR Citation:** 8 CFR 103; 8 CFR 208; 8 CFR 236; 8 CFR 242; 8 CFR 274a

**Legal Deadline:** None

**Abstract:** INS No. 1343 established procedures to be used in filing for asylum under section 208, and withholding of deportation under section 243(h) of the Immigration and Nationality Act, as amended by the Refugee Act of 1980, PL 96-212. The rule modifies the final rule on asylum adjudication published on July 27, 1990 at 55 FR 30674. It establishes seven Asylum Offices and their jurisdictions; and also indicated how asylum and withholding of deportation applications should be filed by mail with these offices instead of with Service district offices and suboffices.

INS No. 1343 was further modified by INS No. 1651N (2-22-95, 60 FR 9774)

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which eliminated several of the practices established by the interim rule. This final rule solely delineates the issuance of charging documents by supervisory asylum officers, which is an essential step in the asylum reform process established by INS No. 1651/1651N.

**Timetable:**

Action	Date	FR Cite
Interim Rule (INS 1343) Eff. 10/09/91	10/01/95	56 FR 50810
Final Rule (INS 1343)	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1651-93 (Procedures for Adjudication of Applications for Asylum and for Withholding of Deportation and for Employment Authorization)

INS No. 1651N-94 (Form I-589, Request for Asylum and for Withholding of Deportation in the United States: Establishment of Compliance Date)

INS No. 1343-94 (Issuance of Charging Documents in Exclusion and Deportation Proceedings by Supervisory Asylum Officers), cross reference RIN 1115-AC67.

**Agency Contact:** Christine Davidson, Senior Policy Analyst, Asylum, International Affairs, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., ULLICO 3rd Floor, Washington, DC 20536  
Phone: 202 633-4389

**RIN:** 1115-AD64

### 2063. REQUESTS FOR ADDITIONAL EVIDENCE TO SUPPORT IMMIGRANT VISA PETITIONS

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule amends Immigration and Naturalization Service regulations by providing a petitioner in an immigrant visa petition proceeding with a period of 12 weeks to respond to the Service's request for additional information and/or documentation.

**Timetable:**

Action	Date	FR Cite
NPRM Com. Due 9-19-94	07/19/94	59 FR 36729
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1659-94

**Agency Contact:** Michael Shaul, Staff Officer, Field Manual Project, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., ULLICO Bldg. 4th Floor, Washington, DC 20536  
Phone: 202 616-7439

**RIN:** 1115-AD70

### 2064. ADMISSION OF CERTAIN NURSES SEEKING NONIMMIGRANT CLASSIFICATION UNDER THE H-1A CATEGORY

**Priority:** Routine and Frequent

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule amended existing regulations concerning admission of certain nurses seeking nonimmigrant classification under the H-1A category. This rule is necessary due to a change in the method that the National Council of State Boards of Nursing (NCLEX) uses to administer the permanent state licensure examination. With the change in testing procedures the rule will provide that nurses entering the US, on the basis of a temporary license issued by the state of intended employment, pass the NCLEX within 6 months after the date of their initial admission to the US.

(This class no longer exists and a final rule will be published to remove applicable reference).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Eff. 10/07/94 Com. due 12/06/94	10/07/94	59 FR 51101
Final Action	12/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1663-94.

Cross Reference INS No. 1654-94, RIN 1115-AD66

**Agency Contact:** John Brown, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AD74

### 2065. FEES FOR PARTICIPATION IN DEDICATED COMMUTER LANES AT SELECTED PORTS OF ENTRY; COLLECTION OF FEES UNDER THE DEDICATED COMMUTER LANE PROGRAM

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 8 USC 1182; 8 USC 1183; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252

**CFR Citation:** 8 CFR 103; 8 CFR 235; 8 CFR 286; 8 CFR 299

**Legal Deadline:** None

**Abstract:** These rules provide for the collection of a fee at the time of application for participation in a Dedicated Commuter Lane (DCL), instead of at the time of approval of the application. The DCL program is a pilot project established at selected land border ports of entry to expedite the transborder movement of eligible, pre-screened, low-risk groups through designated traffic lanes. The first rule clarifies the requirements for the use of the DCL. (INS No. 1675). A second rule will set forth the fee required of participants in order to cover the technological costs (INS No. 1794).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS 1675) Eff. 9/29/95; Com. due 11/28/95	09/29/95	60 FR 50386
Interim Rule (INS 1794)	10/11/96	61 FR 53303
Final Rule (INS 1675)	10/16/96	61 FR 53830

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Action	Date	FR Cite
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Interim Final Rule Comment Period End	12/10/96	
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**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1675 and 1794-96

**Agency Contact:** Robert Mocny, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-3275

**RIN:** 1115-AD82

**2066. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE; TEMPORARY REMOVAL OF CERTAIN RESTRICTIONS ON ELIGIBILITY**

**Priority:** Other Significant

**Legal Authority:** 5 USC 552; 5 USC 552(a); 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 8 USC 1102; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228

**CFR Citation:** 8 CFR 103; 8 CFR 212; 8 CFR 217; 8 CFR 245

**Legal Deadline:** None

**Abstract:** This rule allows certain persons in the US to adjust status to that of a lawful permanent resident before October 1, 1997. These persons, although eligible for immigrant visa issuance abroad, have been barred from adjustment of status because they had entered the US without inspection or had violated the conditions of temporary nonimmigrant status. The rule allows prospective lawful permanent or conditional residents to avoid the difficulties and expense of travel to a US consulate or embassy abroad. It continues to penalize these violators of the immigration laws by requiring most adult applicants to pay an additional sum in excess of the standard adjustment filing fee. After adjusting status they may lawfully live and work in the US and may later be eligible to seek US citizenship through naturalization.

**Timetable:**

Action	Date	FR Cite
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Interim Final Rule Eff. 10-1-94; Com. Due 12-6-94	10/07/94	59 FR 51091
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Interim Final Rule Correction	10/20/94	59 FR 53020
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Final Action	12/00/96	
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**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1676

**Agency Contact:** Gerard Casale, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD83

**2067. WAIVER OF THE TWO-YEAR HOME COUNTRY PHYSICAL PRESENCE REQUIREMENT FOR CERTAIN FOREIGN MEDICAL GRADUATES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 CFR 2; 8 USC 1255; 8 USC 1187; 8 USC 1258

**CFR Citation:** 8 CFR 212; 8 CFR 245; 8 CFR 248

**Legal Deadline:** Final, Statutory, October 25, 1994.  
Pub. L. 103-416, Section 220, statutory provisions in effect upon approval.

**Abstract:** This rule implements changes to INS regulations resulting from recent legislative changes instituted by the Immigration and Nationality Technical Corrections Act, Public Law 103-416. The changes allow certain foreign medical graduates who entered the US in J-1 status, and their J-2 dependent spouse and children to obtain a waiver of the 2 year home country physical presence requirement pursuant to a request by a State Department of Public Health, or its equivalent, thus allowing them to work at a health care facility in an area designated by the Secretary, Health and Human Services, as having a shortage

of health care professionals. This rule will allow foreign medical graduates to change their nonimmigrant status in the US from J-1 exchange visitor to H-1B specialty occupation worker.

**Timetable:**

Action	Date	FR Cite
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Interim Final Rule	05/18/95	60 FR 26676
Interim Final Rule Effective 05/18/95; Comm. due 07/17/95	05/18/95	

Interim Final Rule Correction to Interim Rule	05/24/95	60 FR 27598
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Final Rule	10/00/96	
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**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** INS No. 1688-95

**Agency Contact:** Sophia Cox, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD89

**2068. SCREENING REQUIREMENTS OF CARRIERS FOR REDUCTION, REFUND, OR WAIVER OF FINES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103

**CFR Citation:** 8 CFR 273

**Legal Deadline:** None

**Abstract:** This rule sets forth the requirements that a carrier must satisfy in order that the INS may reduce, refund, or waive a fine incurred by the carrier for the transportation of an improperly documented alien to the US. The rule notifies the public of the requirements the INS expects the carriers to implement at ports of embarkation to satisfy the INS that they have properly screened all passengers on their vessel or aircraft bound for the US. The rule also notifies the public of the circumstances under which the INS may reduce, refund, or waive fines imposed on the carrier for the boarding of improperly documented aliens.

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Certain qualified carriers that have achieved an Acceptable Performance Level (APL) in the number of improperly documented aliens brought to the United States, as determined by the INS, and having a satisfactory fines payment record, will be eligible for fines mitigation, the extent of the mitigation being determined by the carrier's APL.

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/96	61 FR 29323
NPRM Comment Period End	08/09/96	
Final Action	03/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1697

**Agency Contact:** Robert Hutnick, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536  
Phone: 202 514-3019

**RIN:** 1115-AD97

### 2069. PREINSPECTION SERVICES FOR AIRCRAFT, VESSELS, AND TRAINS OUTSIDE THE UNITED STATES (PREINSPECTION)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252

**CFR Citation:** 8 CFR 235

**Legal Deadline:** None

**Abstract:** This rule addresses preinspection in other than adjacent islands and contiguous territories and also provides the regulatory authority to preinspect trains. The Service has expanded preinspection to Ireland which is neither a contiguous territory nor an adjacent island and plans to preinspect trains in Vancouver, B.C., Canada.

**Timetable:**

Action	Date	FR Cite
Proposed Rule; Comments due 6/19/95	05/18/95	60 FR 26696
Final Action	01/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1698-95

**Agency Contact:** Bill Plunges, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536  
Phone: 202 514-3019

**RIN:** 1115-AD98

### 2070. EXEMPTION FROM EDUCATIONAL REQUIREMENTS FOR CERTAIN NATURALIZATION APPLICANTS

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1423; 8 USC 1443; 8 USC 1447; 8 USC 1448; PL 103-416

**CFR Citation:** 8 CFR 312

**Legal Deadline:** Final, Statutory, March 1, 1995.

PL 103-416, section 108

**Abstract:** This rule exempts certain disabled persons, unable to take part in the normal testing process from the statutory requirements of section 312. Those possibly exempt are persons with developmental or physical disabilities or mental impairments which preclude them from having or demonstrating the requisite knowledge of U.S. history and government and the English language.

**Timetable:**

Action	Date	FR Cite
NPRM	08/28/96	61 FR 44227
NPRM Comment Period End	09/27/96	
CP extended to 10/11/96	10/01/96	61 FR 51250
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** INS No. 1702-95

**Agency Contact:** Craig S. Howie, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AE02

### 2071. PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A U.S. CITIZEN OR AS A PREFERENCE IMMIGRANT; SELF-PETITIONING FOR CERTAIN BATTERED OR ABUSED ALIEN SPOUSES AND CHILDREN

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2; PL 103-322

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows battered and abused spouses and children of United States Citizens and Lawful Permanent Residents to petition for immigrant classification. The consent of the abuser would not be required.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/26/96	61 FR 13061
Interim Final Rule Effective	03/26/96	
Interim Final Rule Comment Period End	05/28/96	
Final Action	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1705-95

**Agency Contact:** Rita Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE04

### 2072. MISCELLANEOUS MODIFICATIONS TO NATURALIZATION REGULATIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1433; 8 USC 1443; 8 USC 1448

**CFR Citation:** 8 CFR 322; 8 CFR 337

**Legal Deadline:** None

**Abstract:** These regulations implement provisions of the Immigration and Nationality Technical Amendments Act of 1994.

INS No. 1712 implements changes to 8 CFR 322 by establishing procedures for a U.S. citizen parent to apply for the expeditious naturalization of his or her children born outside the U.S. The purpose of the rule is to relax the requirements of U.S. citizenship for children born to or adopted by U.S. citizens abroad. It allows certain U.S. parents who do not meet physical presence requirements to use the physical presence of their U.S. parent (the child's U.S. grandparent). The purpose of the rule is to relax the requirements of U.S. citizenship for children born to or adopted by U.S. citizens abroad.

INS No. 1764 reserves the authority to schedule all administrative oath-taking ceremonies with the District Director. The rule will not impact the Immigration Judges' authority to administer the oath at ceremonies conducted by the Service.

**Timetable:**

Action	Date	FR Cite
Proposed Rule (INS 1712)	09/10/96	61 FR 47690
Final Rule (INS 1764)	12/00/96	
Final Rule (INS 1712)	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS Nos. 1712 Contact, Jane Barker

INS No. 1764 Contact, Susan Arroyo

**Agency Contact:** Jane Barker, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE07

**2073. CONDITIONS ON NONIMMIGRANT STATUS; DISCLOSURE OF INFORMATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186A; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule removes the current regulatory language conditioning an alien's nonimmigrant status on his or her providing full and truthful information requested by the INS, regardless of the requested information's materiality. This rule would clarify that the nonimmigrant's stay is conditioned on, among other things, the provision of all information deemed necessary to ensure that the alien has acquired, and is maintaining, lawful nonimmigrant status during the entire period of his or her stay, or is eligible to receive any other benefit under the INA.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/96	61 FR 30188
Final Action	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1732-95

**Agency Contact:** Miriam Jawitz Hetfield, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE17

**2074. ACQUISITION OF CITIZENSHIP; EQUAL TREATMENT OF WOMEN IN CONFERRING CITIZENSHIP TO CHILDREN BORN ABROAD**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1401

**CFR Citation:** 8 CFR 301

**Legal Deadline:** None

**Abstract:** This interim rule implements the Immigration and Nationality Technical Corrections Act of 1994, by establishing procedures for certain United States women to confer citizenship to their foreign-born children.

Implementation of the rule would allow for the issuance of certificates of citizenship to certain foreign-born children previously ineligible to acquire citizenship from their U.S. citizen mothers.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35111
Correction to Interim rule.	08/27/96	61 FR 43948
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1736-95

**Agency Contact:** Jane Barker, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536, Room 3214  
Phone: 202 514-5014

**RIN:** 1115-AE19

**2075. PRIORITY DATES FOR EMPLOYMENT-BASED PETITIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule eliminates the requirement that an application for labor certification filed with a State employment office before October 1, 1991, must be filed with the Service in connection with a petition filed under section 203(B) of the Immigration and Nationality Act before October 1, 1993, in order to maintain a pre-October 1, 1991 priority date. This rule implements section 218 of the Immigration and Nationality Technical Corrections Act of 1994, Public Law 102-232, which amended section 161(C)(1) of the Immigration Act of 1990, Public Law 102-649.

## DOJ—INS

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/27/96	61 FR 33304
Final Action	02/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS NO. 1647-95

**Agency Contact:** Michael W. Straus, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE24

## 2076. REGULATIONS RELATING TO TEMPORARY PROTECTED STATUS

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 8 USC 1103; 8 USC 1254a; 8 USC 1254a note; 8 USC 1362; 8 USC 1324a; 8 USC 1101; 8 USC 1303; 8 CFR 2; 5 USC 301; 5 USC 552; 5 USC 552a; 8 USC 1201; 28 USC 509; 31 USC 9701

**CFR Citation:** 8 CFR 103; 8 CFR 240; 8 CFR 299

**Legal Deadline:** None

**Abstract:** Regulations published under this RIN implement provisions of the Immigration and Nationality Act as established by section 302 of the Immigration Act of 1990, Pub. L. 101-649, which allow for the establishment and implementation of Temporary Protected Status (TPS). Currently, nationals of four countries (Liberia, Somalia, Rwanda, and Bosnia-Herzegovina) have been accorded TPS Status. Such designations are accomplished by notice published in the Federal Register.

Previously published TPS regulations were cited by RIN 1115-AC30.

Current regulatory actions:

INS No. 1608 provides for exceptions to deadlines for registering for TPS and updates the application process.

INS No. 1612 provides for the removal of obsolete TPS language.

**Timetable:**

Action	Date	FR Cite
TPS Final Rule (INS No. 1612) Removal of Obsolete Sections Covering TPS for Salvadorans	09/10/96	61 FR 47667
TPS Final Rule (INS No. 1608) Exceptions to Registration	10/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** The Attorney General may designate other countries for TPS.

INS Nos. 1608 and 1612.

INS No. 1608 issued as an interim rule on 11/5/93 at 58 FR 58935

Cross reference other TPS actions under RIN 1115-AC30.

**Agency Contact:** Ronald S. Chirlin, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE26

## 2077. AMENDMENT TO LIMITATIONS ON DISCRETION TO GRANT AN APPLICATION FOR RELIEF UNDER SECTION 212(C)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 CFR 2

**CFR Citation:** 8 CFR 212

**Legal Deadline:** None

**Abstract:** This rule amends part 212 of title 8 of the Code of Federal Regulations which apply to limitations on discretion to grant an application for relief under section 212(c) of the Immigration and Nationality Act. The changes will expand the class of aliens eligible for 212(c) relief. The rule allows an alien who has adjusted status pursuant to section 245A or section 210 of the Act to use the combined period of his or her status as a temporary permanent resident and lawful permanent resident to establish seven (7) years of continuous physical presence in the United States. The

change will provide uniformity between the regulation and case law.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1748-96

**Agency Contact:** David Dixon, Appellate Counsel, General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536  
Phone: 703 756-6257

**RIN:** 1115-AE27

## 2078. EFFECT OF PAROLE OF CUBAN AND HAITIAN NATIONALS ON RESETTLEMENT ASSISTANCE ELIGIBILITY

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 CFR 2

**CFR Citation:** 8 CFR 212

**Legal Deadline:** None

**Abstract:** This regulation amends language in 8 CFR 212 to clarify that nationals of Cuba or Haiti who were paroled into the United States since October 1, 1991, are to be considered to have been paroled in a status that makes them eligible for assistance under Section 501 of the Refugee Education Assistance Act of 1980, as amended. This rule is necessary to ensure that these aliens are not inadvertently denied benefits for which they are eligible.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/12/96	61 FR 36610
Interim rule comment period end	09/10/96	61 FR 36610
Final Action	01/00/97	

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Additional Information:** INS No. 1751-96

Additional INS contact: Michael Sheridan

**Agency Contact:** Janice Podolny, Associate General Counsel, General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536  
Phone: 202 514-2895  
**RIN:** 1115-AE29

**2079. REGULATIONS PERTAINING TO ADJUDICATIONS PROCESSING**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 5 USC 552; 5 USC 552(a); 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1155; 8 USC 1160; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1186b; 8 USC 1187

**CFR Citation:** 8 CFR 101; 8 CFR 103; 8 CFR 204; 8 CFR 210; 8 CFR 212; 8 CFR 214; 8 CFR 216; 8 CFR 240; 8 CFR 245a; 8 CFR 249; 8 CFR 336

**Legal Deadline:** None

**Abstract:** In response to the President's direction to each agency to undertake a review of its regulations for the purpose of reducing the regulations or, when possible, rendering them more readable and comprehensible, the Immigration and Naturalization Service is engaging in a thorough line-by-line review of all regulations in Title 8 of the Code of Federal Regulations (8 CFR). As a result, the Service is amending its regulations consistent with the President's directive by publishing a series of separate rulemakings in the Federal Register. Over the course of the next two fiscal years, these rulemakings will address all parts of 8 CFR by updating obsolete references; by eliminating portions dealing with terminated programs; by removing language relating to purely procedural matters involving only internal Service processes; by elimination of references which unnecessarily duplicate language contained in the statute or in other portions of the regulations; and by streamlining awkward and confusing language.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** INS Nos. 1753-96;1754-96;and 1789-96 Additional Legal Authority: 8 USC 1201; 8 USC 1221; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252 note; 8 USC 1252b; 8 USC 1254; 8 USC 1254a note; 8 USC 1255; 8 USC 1255 note; 8 USC 1259; 8 USC 1281; 8 USC 1282; 8 USC 1304; 1356; 8 USC 1443; 8 USC 1447; 8 USC 1448; 31 USC 9701; EO 12356; 47 FR 14874; 47 FR 15557; 3 CFR; 1982 Comp., 166; 8 CFR part 2.

**Agency Contact:** Lawrence J. Weinig, Director, Field Manual Project Office, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., ULLICO 4th Floor, Washington, DC 20536  
Phone: 202 616-7425

**RIN:** 1115-AE31

**2080. PROCESSING OF APPLICANTS FOR ADMISSION TO THE UNITED STATES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1181; 8 USC 1182; 8 USC 1203; 8 USC 1225; 8 USC 1257; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1221; ...

**CFR Citation:** 8 CFR 211; 8 CFR 235; 8 CFR 251; 8 CFR 252

**Legal Deadline:** None

**Abstract:** This rulemaking revises existing regulations by eliminating obsolete sections and by reducing other sections through elimination of duplication, deletion of references to purely internal procedural matters and streamlining. All changes are considered to be editorial and non-substantive in nature and have no impact on governmental or nongovernmental entities.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal  
**Additional Information:** INS No. 1754

**Agency Contact:** Lawrence J. Weinig, Director, Field Manual Project, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 616-7425

**RIN:** 1115-AE32

**2081. ORPHAN PETITIONS; PETITIONS TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR PREFERENCE IMMIGRANT; CHANGE IN DEFINITION OF CHILD**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-51

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule amends the Service's existing regulations by replacing the phrase "legitimate child" with "child born in wedlock". This change also makes the criteria for immigration, based on orphan classification and on certain other parent-child relationships, much easier to understand and apply.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal  
**Additional Information:** INS No. 1761 (Additional INS contact Ramonia Law-Hill)

**Agency Contact:** Rita Arthur, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE33

**2082. • ADJUDICATIONS AND DEPORTATION PROCESS STREAMLINING**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC

**DOJ—INS**

**Final Rule Stage**

1251; 8 USC 1252; 8 USC 1252 note; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228

**CFR Citation:** 8 CFR 212; 8 CFR 242.5; 8 CFR 246

**Legal Deadline:** None

**Abstract:** This rulemaking revises existing regulations by eliminating obsolete sections, and by reducing

other sections through elimination of duplication and deletion.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1789-96

**Agency Contact:** Lawrence J. Weinig, Director, Field Manual Project, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., 4th Floor, Ullico Bldg., Washington, DC 20536  
Phone: 202 616-7425  
Fax: 202 305-1496

**RIN:** 1115-AE48

**DEPARTMENT OF JUSTICE (DOJ)**

**Long-Term Actions**

**Immigration and Naturalization Service (INS)**

**2083. NONIMMIGRANT CLASSES; TEMPORARY EMPLOYEES-H-2A AGRICULTURAL**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 214

**Timetable:**

Action	Date	FR Cite
NPRM; Com. Due 10-7-86	08/08/86	51 FR 28576
Interim Final Rule Eff. 6-1-87; Com. Due 7-31-87	06/01/87	52 FR 20554
2nd Interim Final Rule	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Kathryn Craig  
Phone: 202 514-5014

**RIN:** 1115-AA25

Phone: 202 514-5014

**RIN:** 1115-AB74

**2086. CONTRACTS WITH TRANSPORTATION LINES; INCREASING THE LIQUIDATED DAMAGES FOR CARRIER VIOLATIONS OF THE TWOV AGREEMENT TO \$3000**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 238

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-2694

**RIN:** 1115-AC17

**2088. CONSENT TO REAPPLY FOR ADMISSION AFTER DEPORTATION, REMOVAL, OR DEPARTURE AT GOVERNMENT EXPENSE**

**Priority:** Routine and Frequent

**CFR Citation:** 8 CFR 212

**Timetable:**

Action	Date	FR Cite
Interim Final Rule, Eff. 5-21-91; Com. Due 6-20-91	05/21/91	56 FR 23212

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Sophia Cox  
Phone: 202 514-5014

**RIN:** 1115-AC37

**2084. SEIZURE AND FORFEITURE OF CONVEYANCES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 274

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Joseph Travis  
Phone: 202 616-2737

**RIN:** 1115-AA95

**2087. APPLICATION FOR THE EXERCISE OF DISCRETION UNDER 212C, AGGRAVATED FELONS**

**Priority:** Routine and Frequent

**CFR Citation:** 8 CFR 212

**Timetable:**

Action	Date	FR Cite
Interim Final Rule, Eff. 10-3-91; Com. Due 11-4-91	10/03/91	56 FR 50033

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Sophia Cox  
Phone: 202 514-5014

**RIN:** 1115-AC35

**2089. REGISTRATION AND FINGERPRINTING OF NONIMMIGRANTS DESIGNATED BY THE ATTORNEY GENERAL; REMOVAL OF CERTAIN REQUIREMENTS FOR NONIMMIGRANTS BEARING IRAQI AND KUWAITI TRAVEL DOCUMENTS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 264

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS No. 1606) Eff. 12-23-93; Com. Due 1-24-94	12/23/93	58 FR 68024

Notice (INS No 1783-96) Eff. 9-5-96  
Registration & Fingerprinting Iranian & Libyan

Final Rule (INS No. 1606) Eff. 10-10-96

Next Action Undetermined

**Small Entities Affected:** None

**2085. TERMINATION OF TEMPORARY RESIDENT STATUS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 210

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Michael W. Straus

DOJ—INS

Long-Term Actions

**Government Levels Affected:** Federal

**Agency Contact:** Virginia Gorman  
Phone: 202 514-3019

**RIN:** 1115-AC83

**2090. UNAVAILABILITY OF TWOV TO CITIZENS OF THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 212

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS 1397R) Eff. 8-16-93; Com. Due 9-15-93	08/16/93	58 FR 43438
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-2694

**RIN:** 1115-AC87

**2091. PHYSICAL AND MENTAL EXAMINATION OF ARRIVING ALIENS**

**Priority:** Routine and Frequent

**CFR Citation:** 8 CFR 234

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Sophia Cox  
Phone: 202 514-5014

**RIN:** 1115-AD10

**2092. EXPANSION OF DIRECT MAIL PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 103; 8 CFR 245; 8 CFR 264; 8 CFR 274a; 8 CFR 245a

**Timetable:**

Action	Date	FR Cite
Interim Final Rule INS No. 1660 Direct Mail Prog. Expansion Eff. 7-1-94; Com. Due 8-30-94	07/01/94	59 FR 33903
Notice INS No. 1745	01/25/96	61 FR 2266
Notice (INS No. 1734)	10/30/96	61 FR 56060

**Action Date FR Cite**

Final Rule (INS No. 1660) Direct Mail Prog. Expansion  
00/00/00

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Michael Aytes  
Phone: 202 514-5014

**RIN:** 1115-AD73

**2093. REGULATION CHANGES NECESSITATED BY THE BREAK-UP OF THE SOVIET UNION AND CZECHOSLOVAKIA, THE UNIFICATION OF THE TWO GERMANIES, AND THE NAME CHANGE OF THE DEMOCRATIC REPUBLIC OF VIETNAM**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 212

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019

**RIN:** 1115-AD96

**2094. CENTRALIZE THE PRODUCTION OF SECURE EMPLOYMENT AUTHORIZATION DOCUMENTS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 274a

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** MayBurn Deboe  
Phone: 202 514-5014

**RIN:** 1115-AE06

**2095. NOTICE OF POLICY REGARDING FINES IMPOSED ON CARRIERS WHO BRING ALIENS TO THE UNITED STATES WITHOUT PROPER DOCUMENTATION**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 273

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019

**RIN:** 1115-AE09

**2096. NOTICE TO CARRIERS OF THE INS POLICY ON THE REQUIREMENTS OF ARRIVAL/DEPARTURE MANIFESTS, FORM I-94, AND FINES IMPLICATIONS UNDER SECTION 231(A)**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 231

**Timetable:**

Action	Date	FR Cite
Notice of Policy with 30 day comment period	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019

**RIN:** 1115-AE11

**2097. "MASTER EXHIBITS" CURRENTLY AVAILABLE**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 208

**Timetable:**

Action	Date	FR Cite
Notice (to be published upon availability of new exhibits)	00/00/00	

**Small Entities Affected:** Organizations

**Government Levels Affected:** Federal

**Agency Contact:** John Evans  
Phone: 202 633-1040

**RIN:** 1115-AE14

**2098. IMMIGRATION AND NATURALIZATION SERVICE P-1 NONIMMIGRANTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 214

## DOJ—INS

## Long-Term Actions

## Timetable:

Action	Date	FR Cite
Notice of Establishment of an Advisory Committee; Statement of qualifications due 5-7-96	03/08/96	61 FR 9498
Proposed rule (withdrawn as negotiated rule)	00/00/00	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Agency Contact:** John Brown  
Phone: 202 514-5014

**RIN:** 1115-AE38

**2099. • ORDER TO SHOW CAUSE AND NOTICE OF HEARING; APPREHENSION, CUSTODY AND DETENTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1186a; 8 USC 1251; 8 USC 1252; 8 USC 1252 note; 8 USC 1252b; 8 USC 1254; 8 USC 1362; 8 CFR 2

**CFR Citation:** 8 CFR 242

**Legal Deadline:** None

**Abstract:** This rule amends the position of Assistant District Director for Inspections to the list of Immigration and Naturalization Service officials authorized to issue orders to show cause and warrants of arrest.

## Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1771-96

**Agency Contact:** Robert Hutnick, Asst. Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7499

**RIN:** 1115-AE57

## DEPARTMENT OF JUSTICE (DOJ)

## Completed Actions

## Immigration and Naturalization Service (INS)

**2100. RELEASE PROCEDURES; LAWFUL PERMANENT RESIDENTS CONVICTED OF AGGRAVATED FELONIES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 242

## Completed:

Reason	Date	FR Cite
Withdrawn AEDPA regulation will address this.	08/27/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Leonard Loveless  
Phone: 202 514-2871

**RIN:** 1115-AC60

**2101. J NONIMMIGRANTS: REQUIREMENTS FOR ADMISSION AND MAINTENANCE OF STATUS; EMPLOYMENT AUTHORIZATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**CFR Citation:** 8 CFR 214; 8 CFR 274a

## Completed:

Reason	Date	FR Cite
Withdrawn - Consolidated into 1458-92, RIN 1115-AD16	08/16/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Maurice Berez  
Phone: 202 514-5014

**RIN:** 1115-AD37

**2102. VALIDITY OF APPROVED PETITIONS AND APPEAL RIGHTS**

**Priority:** Routine and Frequent

**CFR Citation:** 8 CFR 204

## Completed:

Reason	Date	FR Cite
Withdrawn by program office.	08/27/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Michael Shaul  
Phone: 202 616-7439

**RIN:** 1115-AD45

**2103. CITIZENSHIP DOCUMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 341; 8 CFR 342; 8 CFR 343; 8 CFR 343a; 8 CFR 343b; 8 CFR 343c

## Completed:

Reason	Date	FR Cite
Withdrawn Parts of this reform will be accomplished administratively.	09/05/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Susan Arroyo  
Phone: 202 514-5014

**RIN:** 1115-AD51

**2104. REVOCATION OF NATURALIZATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 340

**DOJ—INS**

**Completed Actions**

**Completed:**

Reason	Date	FR Cite
Final Action	10/26/96	61 FR 55550
Final Action Effective	10/26/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Jody Marten  
Phone: 202 514-5014

**RIN:** 1115-AD54

**2105. INS FORMS AVAILABLE FROM THE SUPERINTENDENT OF DOCUMENTS**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 282; 8 CFR 299; 8 CFR 499

**Completed:**

Reason	Date	FR Cite
Final Action	09/11/96	61 FR 47799
Final Action Effective	09/11/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Richard Sloan, Director  
Phone: 202 514-3291

**RIN:** 1115-AD58

**2106. CERTIFICATION OF DESIGNATED FINGERPRINT SERVICES (OUTSIDE ENTITIES) TO TAKE FINGERPRINTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 103

**Completed:**

Reason	Date	FR Cite
Final Action	06/04/96	61 FR 28003
Final Action Effective	07/05/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jack Rasmussen  
Phone: 202 514-3240

**RIN:** 1115-AD75

**2107. ADMINISTRATIVE APPLICATION FOR SUSPENSION OF DEPORTATION PROCEDURE BEFORE A DISTRICT DIRECTOR**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 244

**Completed:**

Reason	Date	FR Cite
Withdrawn Due to additional workload it would place on operations.	08/13/96	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Finkelstein  
Phone: 202 514-3197

**RIN:** 1115-AD78

**2108. REVOCATIONS AND DESIGNATION OF INTERNATIONAL AIRPORT STATUS FOR PORTS OF ENTRY FOR ALIENS ARRIVING BY AIRCRAFT**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 100

**Completed:**

Reason	Date	FR Cite
Final Action	05/23/96	61 FR 25777
Final Action Effective	05/23/96	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Agency Contact:** Andrea Sickler  
Phone: 202 514-3275

**RIN:** 1115-AD84

**2109. ESTABLISHMENT OF FORM I-551, ALIEN REGISTRATION RECEIPT CARD, AS THE EXCLUSIVE FORM OF REGISTRATION FOR LAWFUL PERMANENT RESIDENTS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 264

**Completed:**

Reason	Date	FR Cite
Final Action	07/19/96	61 FR 37673

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Gerard Casale

Phone: 202 514-5014

**RIN:** 1115-AD87

**2110. FEES ASSESSED FOR DEFAULTED PAYMENTS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 103

**Completed:**

Reason	Date	FR Cite
Final Action	07/08/96	61 FR 35597
Final Action Effective	08/07/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Allen Sinsheimer  
Phone: 202 616-7683

**RIN:** 1115-AD92

**2111. ARRIVAL/DEPARTURE RECORDS; RETENTION OF DEPARTURE PORTION OF THE FORM I-94 FOR SEAPORTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 235; 8 CFR 231

**Completed:**

Reason	Date	FR Cite
Withdrawn By program office	09/18/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Catherine Paler-Amaya  
Phone: 202 514-4803

**RIN:** 1115-AD94

**2112. AUTOMATED ISSUANCE OF FORM I-94 ARRIVAL/DEPARTURE RECORD**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 231

**Completed:**

Reason	Date	FR Cite
Withdrawn effected by administrative means.	09/24/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

## DOJ—INS

## Completed Actions

**Agency Contact:** Virginia Gorman  
Phone: 202 514-0912

**RIN:** 1115-AD99

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**2113. BORDER SERVICES USER FEE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 286

**Completed:**

Reason	Date	FR Cite
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Withdrawn by program office.	08/23/96	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Michael Jaromin  
Phone: 202 514-3019

**RIN:** 1115-AE01

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**2114. COST OF DETENTION OF STOWAWAYS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 235; 8 CFR 237; 8 CFR 253

**Completed:**

Reason	Date	FR Cite
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Withdrawn by program office.	08/23/96	
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**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Linda Loveless  
Phone: 202 514-3019

**RIN:** 1115-AE03

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**2115. ELIMINATION OF LISTING OF TRANSPORTATION LINES SIGNATORY TO CONTRACTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 8 CFR 238

**Completed:**

Reason	Date	FR Cite
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Withdrawn Being incorporated into	08/23/96	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert F. Hutnick  
Phone: 202 616-7499

**RIN:** 1115-AE34

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**2116. CONTRACTS WITH TRANSPORTATION LINES; SIGNATORY AUTHORITY**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 238

**Completed:**

Reason	Date	FR Cite
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Withdrawn by program office.	08/23/96	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert F. Hutnick  
Phone: 202 616-7499

**RIN:** 1115-AE36

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**2117. ADDING SANFORD, FLORIDA TO THE LIST OF PORTS OF ENTRY TO ACCEPT APPLICATIONS FOR DIRECT TRANSIT WITHOUT VISAS (TWOV)**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 214

**Completed:**

Reason	Date	FR Cite
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Final Action	07/09/96	61 FR 39534
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Final Action Effective	07/09/96	61 FR 35934
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**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-2694

**RIN:** 1115-AE40

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**2118. • REMOVAL OF OBSOLETE SECTIONS OF THE REGULATION CONCERNING TEMPORARY PROTECTIVE STATUS FOR SALVADORANS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 8 USC 1103; 8 USC 1254a; 8 USC 1254a note

**CFR Citation:** 8 CFR 240

**Legal Deadline:** None

**Abstract:** This final rule amends the Immigration and Naturalization Service (Service) regulations by removing those sections relating to Temporary Protected Status (TPS) for Salvadorans under section 303 of the Immigration Act of 1990 (IMMACT). Since the TPS program for Salvadorans expired on

June 30, 1992, this action is necessary to remove obsolete language from the Service's regulations.

**Timetable:**

Action	Date	FR Cite
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Withdrawn - This Is Incorporated Into RIN 1115-AE26	08/27/96	
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**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Local, Federal

**Additional Information:** INS No. 1772-96

**Agency Contact:** Ron Chirlin, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE43

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**2119. • SUSPENSION OF DEPORTATION AND VOLUNTARY DEPARTURE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1254 note; 8 USC 1252b; 8 USC 1324b; 8 USC 1362; 28 USC 509; 28 USC 510; 28 USC 1746

**CFR Citation:** 8 CFR 3; 8 CFR 244

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the Immigration and Naturalization Service (The Service) regulations to provide that an immigration judge, in the first instance, and the Board of Immigration Appeals, on appeal, may not grant to a deportable alien a voluntary departure period that exceeds 90 days. This rule would also amend the service's regulations pertaining to suspension of deportation and voluntary departure by more clearly distinguishing these forms of relief.

**Timetable:**

Action	Date	FR Cite
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Withdrawn by HQPDI Richard Sloan	08/27/96	
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**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Additional Information:** INS No. 1774-96

**Agency Contact:** Janice B. Podolny, Associate General Counsel, Office of

**DOJ—INS**

**Completed Actions**

General Counsel, Department of Justice,  
Immigration and Naturalization Service,

425 I Street NW., Room 6100,  
Washington, DC

Phone: 202 514-2895

RIN: 1115-AE44

**DEPARTMENT OF JUSTICE (DOJ)  
Legal Activities (LA)**

**Proposed Rule Stage**

**2120. FALSE CLAIMS AMENDMENTS ACT OF 1986—CIVIL INVESTIGATIVE DEMANDS**

**Priority:** Info./Admin./Other

**Legal Authority:** 31 USC 3733

**CFR Citation:** 28 CFR 28

**Legal Deadline:** None

**Abstract:** This rule implements and clarifies the provisions concerning civil investigative demands (CIDs) in Section 6(a) of the False Claims Amendments Act of 1986, 31 USC 3733. In particular, this rule 1) delegates certain delegable powers and responsibilities that the statute vests in the Attorney General to the Assistant Attorney General for the Civil Division and to the U.S. Attorneys; 2) specifies which United States employees may have access to information produced in response to CIDs; 3) clarifies that Department trial attorneys, in certain circumstances, have authority unilaterally to alter certain features of oral examinations taken pursuant to CIDs, such as date, time, and place; and 4) clarifies the statutory provision allowing Department attorneys to make "official use" of CID material in connection with cases and proceedings, by defining "official use."

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Michael F. Hertz, Director, Commercial Litigation Branch, Department of Justice, Civil Division, P.O. Box 261, Washington, DC 20044  
Phone: 202 514-7179

RIN: 1105-AA42

**2121. IMPLEMENTATION OF THE NATIONAL STOLEN PASSENGER MOTOR VEHICLE INFORMATION SYSTEM (NSPMVIS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 49 USC 33109 to 33111

**CFR Citation:** 28 CFR Not yet determined

**Legal Deadline:** None

**Abstract:** The Attorney General is required to establish a National Stolen Passenger Motor Vehicle Information System pursuant to the Anti Car Theft Act of 1992 (49 USC 33109 to 33111). The FBI is coordinated efforts in this matter and, under delegated authority from the Attorney General, the FBI is issuing this rule to establish a national system to verify the theft status of major motor vehicle component parts. The system will include certain information about each passenger motor vehicle reported to a law enforcement agency as stolen and not recovered. The rule provides how an individual or entity may obtain information from the system on whether a vehicle or part is listed as stolen. The rule also provides verification procedures to be followed by insurance carriers and certain motor vehicle part businesses.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Mike Pritchard, NSPMVIS Project Coordinator, Department of Justice, Federal Bureau of Investigation, Room 11105, J. Edgar Hoover Bldg., 10th & Pennsylvania Ave. NW., Washington, DC 20535  
Phone: 202 324-2741

RIN: 1105-AA44

**2122. FILING OF INFORMATIONAL MATERIALS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 22 USC 611 et seq Foreign Agents Registration Act of 1938

**CFR Citation:** 28 CFR 5.304; 28 CFR 5.306; 28 CFR 5.400; 28 CFR 5.401; 28 CFR 5.401A; 28 CFR 5.402; 28 CFR 5.600; 28 CFR 5.601

**Legal Deadline:** None

**Abstract:** As a result of the passage of the Lobbying Disclosure Act of 1995 (LDA), the Foreign Agents Registration Unit of the Criminal Division is issuing a new regulation concerning changes in the Foreign Agents Registration Act of 1938, as amended, 22 USC 611, et seq (FARA). These regulations replace the term "political propaganda" in the existing regulations with "informational materials" as provided in the LDA and make other changes to 28 CFR 5.304, 5.306, 5.400, 5.401, 5.402, 5.600, and 5.601 required by the passage of the LDA or for other reasons.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	01/00/97	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Frederick J. Close, Jr., Chief, Registration Unit, Internal Security Section, Department of Justice, Criminal Division, 1400 NY Ave., NW., Room 9300, Washington, DC 20530  
Phone: 202 514-1216  
Fax: 202 514-2836

RIN: 1105-AA45

DOJ—LA

Proposed Rule Stage

2123. • CIVIL MONETARY PENALTIES INFLATION ADJUSTMENT

Priority: Info./Admin./Other

Legal Authority: PL 101-410 Fed. Civ. Monetary Penalties Inflation Adj. Act-1990; PL 104-134, sec 31001 Debt Collection Improvement Act of 1996

CFR Citation: 28 CFR 50.22 (New)

Legal Deadline: Final, Statutory, October 23, 1996.

Abstract: The Federal Civil Monetary Penalties Inflation Adjustment Act of 1990, PL 101-410, hereinafter, Adjustment Act, provided for the regular evaluation of civil monetary penalties to ensure that they continued to maintain their deterrent value and that penalty amounts due the Federal Government were properly accounted for and collected. On April 26, 1996, President Clinton signed into law the Omnibus Consolidated Recissions and Appropriations Act of 1996, PL 104-134, hereinafter, Omnibus Act. Section 31001 of the Omnibus Act (also known as the Debt Collection Improvement Act of 1996, hereinafter, Improvement Act, amended section 4 of the Adjustment Act to require the head of each agency to by regulation adjust each civil monetary penalty provided by law within the jurisdiction of the agency and to publish such regulation in the Federal Register.

Any increase in a civil monetary penalty made pursuant to the Improvement Act shall apply only to violations which occur after the date

the increase takes effect. The first adjustment of a civil monetary penalty made pursuant to the Improvement Act may not exceed 10 percent of such penalty. The adjustment for inflation required by the Adjustment Act must be done every four years. This regulation fulfills the Attorney General's obligations under the Improvement Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
NPRM Comment	11/00/96	
Period End		

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Robert Hinchman, Attorney-Advisor, Department of Justice, Office of Policy Development, 950 Pennsylvania Ave. NW., Washington, DC 20530  
Phone: 202 514-8059  
Fax: 202 514-9112

RIN: 1105-AA48

2124. • EXPANSION OF DOCUMENTATION OPTIONS TO ESTABLISH ELIGIBILITY UNDER THE RADIATION EXPOSURE COMPENSATION ACT OF 1990

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

Legal Authority: 42 USC 2210 note Radiation Exposure Compensation Act of 1990

CFR Citation: 28 CFR 79

Legal Deadline: None

Abstract: The Radiation Exposure Compensation Act (42 USC 2210 note) provides for compassionate payments to individuals who contracted certain cancers and other serious diseases as a result of their exposure to radiation released during above-ground nuclear weapons tests or as a result of their exposure to radiation during employment in uranium mines. The changes this rule makes to the existing implementing regulations will enable claimants to present additional types of evidence which may assist them in establishing entitlement to compensation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
NPRM Comment	02/00/97	
Period End		

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Gerald N. Fischer, Assistant Director, Department of Justice, Radiation Exposure Compensation Program, P.O. Box 146, Ben Franklin Station, Washington, DC 20044-0146  
Phone: 202 616-4090

RIN: 1105-AA49

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Legal Activities (LA)

2125. REVISION OF REGULATIONS GOVERNING THE REMISSION OR MITIGATION OF CIVIL AND CRIMINAL FORFEITURES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 28 USC 509; 28 USC 510; 28 USC 515 to 518; 28 USC 524; 8 USC 1324; 15 USC 1177; 17 USC 509; 18 USC 512; 18 USC 981; 18 USC 982; 18 USC 1467; 18 USC 1955; 18 USC 1963; 18 USC 2253; 18 USC 2254

CFR Citation: 28 CFR 9

Legal Deadline: None

Abstract: This regulation amends and adopts rules that govern the processing of petitions for remission and mitigation of forfeitures by the Criminal Division, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Immigration and Naturalization Service, and the United States Marshals Service of the United States Department of Justice. It is intended to provide a basis for similar rules to be adopted by the Bureau of Alcohol, Tobacco and Firearms, the Internal Revenue Service, the United States Secret Service of the Department

of the Treasury, and the United States Postal Service. The Department proposes this regulation in an effort to ameliorate the harsh results in individual forfeiture cases and to provide relief to innocent persons whose property is used by others for criminal purposes.

Timetable:

Action	Date	FR Cite
NPRM	06/29/94	59 FR 33457
NPRM Comment	07/29/94	
Period End		
Final Action	12/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

DOJ—LA

Final Rule Stage

**Additional Information:** LEGAL AUTHORITY CONT: 18 USC 2513; 19 USC 1613; 19 USC 1618; 21 USC 853; 21 USC 881; 22 USC 401.

**Agency Contact:** Nancy L. Rider, Deputy Chief, Asset Forfeiture and Money Laundering Sect., Department of Justice, Criminal Division, 1400 New York Ave. NW., Washington, DC 20530  
Phone: 202 514-1263  
Fax: 202 514-5522

**RIN:** 1105-AA23

**2126. QUALIFICATIONS FOR TRUSTEES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 28 USC 586(d)

**CFR Citation:** 28 CFR 58

**Legal Deadline:** None

**Abstract:** United States Trustees appoint private trustees to serve in bankruptcy cases filed under title 11, United States Code. Pursuant to 28 USC section 586(d), the Attorney General is required to prescribe by rule qualifications for membership on panels from which the United States Trustees appoint trustees to serve in specific bankruptcy cases filed under chapter 7 of the Bankruptcy Code. In addition, the Attorney General is required to prescribe by rule qualifications for appointment as a standing trustee in cases filed under chapters 12 and 13 of the Bankruptcy Code. The qualifications prescribed by the Attorney General pursuant to 28 USC section 586(d) are found at 28 CFR 58.3, 58.4. This rule amends those qualifications by adding a requirement that the applicant have three years of either bankruptcy experience or experience as a fiduciary. In addition, this rule clarifies that the United States Trustees have authority not only to establish panels of trustees in the first instance, but also to revise and periodically reconstitute such panels. Finally, the rule sets forth certain technical amendments to 28 CFR Part 58.

**Timetable:**

Action	Date	FR Cite
NPRM	09/16/93	58 FR 48472

Action	Date	FR Cite
NPRM Comment Period End	10/18/93	
Final Action	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Esther I. Estryn, Deputy General Counsel, Department of Justice, Executive Office for United States Trustees, 901 E Street NW., Washington, DC 29530  
Phone: 202 307-1399

**RIN:** 1105-AA30

**2127. QUALIFICATIONS FOR CHAPTER 13 STANDING TRUSTEES**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 28 USC 586(e)(1)

**CFR Citation:** 28 CFR 58

**Legal Deadline:** None

**Abstract:** United States Trustees have the authority to appoint one or more individuals to serve as chapter 13 standing trustees in a judicial district if the number of chapter 13 cases warrants the appointment. Under 28 USC section 586(b) standing trustees receive a percentage of all funds paid under chapter 13 plans to pay for their compensation and actual necessary expenses. The Director of the Executive Office for United States Trustees, by virtue of authority delegated by the Attorney General, fixes each standing trustee's percentage fee and the maximum annual compensation. 28 USC section 586(e)(1). This rule is designed to eliminate conflicts of interest, curb unnecessary expenses, and ensure financial and management accountability.

**Timetable:**

Action	Date	FR Cite
NPRM	07/18/96	61 FR 37426
NPRM Comment Period End	09/16/96	
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Esther I. Estryn, Deputy General Counsel, Department of

Justice, Executive Office for United States Trustees, 901 E Street NW., Washington, DC 20530  
Phone: 202 307-1399

**RIN:** 1105-AA32

**2128. IMPLEMENTATION OF SECTION 109 OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT**

**Priority:** Other Significant

**Legal Authority:** PL 103-414  
Communications Assistance for Law Enforcement Act

**CFR Citation:** 28 CFR 100

**Legal Deadline:** None

**Abstract:** The FBI intends to publish a final rule setting forth the Cost Recovery Regulations required by section 109 of the Communications Assistance for Law Enforcement Act (CALEA), which became effective October 25, 1994. These regulations, as proposed in an NPRM issued on May 10, 1996 (61 FR 21396), set forth the procedures whereby telecommunications carriers can recover certain costs associated with implementing CALEA. Specifically, the regulations define the costs eligible for recovery under CALEA and establish the procedures through which reimbursement can occur. The FBI is currently reviewing comments from interested parties and intends to publish the final rule in February, 1997.

**Timetable:**

Action	Date	FR Cite
NPRM	05/10/96	61 FR 21396
NPRM Comment Period End	07/09/96	
Final Action	02/00/97	
Final Action Effective	03/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Walter V. Meslar, Chief, Telecommunications Contracts and Audit Unit, Department of Justice, Federal Bureau of Investigation, 14800 Conference Center Dr., Suite 300, Chantilly, VA 20151  
Phone: 703 814-4900  
Fax: 703 814-4730

**RIN:** 1105-AA39

DOJ—LA

Final Rule Stage

**2129. • POLICE CORPS PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 14096

**CFR Citation:** 28 CFR 92 (New)

**Legal Deadline:** None

**Abstract:** The Police Corps was authorized by the Violent Crime Control and Law Enforcement Act of 1994 to award scholarships and to help reimburse educational expenses of students agreeing to work in a State or local police force for at least four years. Funds for the Police Corps were first appropriated as part of the fiscal year 1996 Department of Justice budget. Students choosing to participate in the Police Corps program must pursue an

undergraduate or graduate degree which, in the judgment of the State or local police force to which the participant will be assigned, includes appropriate preparation for police service. This rule establishes the framework for the program by each State. Police Corps scholarship funds are also available to dependent children of law enforcement officers killed in the line of duty. These scholarships may be applied to any course of study, without any service or repayment obligation. This rule also sets forth the requirements States or territories choosing to participate in the program are to follow, including: designating a lead agency, submitting a plan for administration of the program, and

making special efforts to recruit applicants from all racial, ethnic, or gender groups.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/24/96	61 FR 49971
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Tony Grzebien, Department of Justice, Ofc. of Community Oriented Policing Services, 633 Indiana Ave. NW., Washington, DC 20531

Phone: 202 616-2899

**RIN:** 1105-AA47

DEPARTMENT OF JUSTICE (DOJ)

Long-Term Actions

Legal Activities (LA)

**2130. CRIMINAL FINES ENFORCEMENT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 72

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Lynne Solien  
Phone: 202 616-6444

**RIN:** 1105-AA16

**Agency Contact:** Janice Galli McLeod  
Phone: 202 514-4453

Fax: 202 514-1009

**RIN:** 1105-AA20

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 4 CFR 101 to 105

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Federal

**Agency Contact:** Robert N. Ford  
Phone: 202 514-5343

Fax: 202 514-1965

**RIN:** 1105-AA31

**2131. PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 28 CFR 16 subparts A and D

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Robert Hinchman  
Phone: 202 514-8059

Fax: 202 514-8639

**RIN:** 1105-AA29

**2134. CHILD PROTECTION RESTORATION AND PENALTIES ENHANCEMENT ACT OF 1990**

**Priority:** Info./Admin./Other

**CFR Citation:** 28 CFR 75

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Terry R. Lord  
Phone: 202 514-5780

Fax: 202 514-1793

**RIN:** 1105-AA46

**2133. FEDERAL CLAIMS COLLECTION STANDARDS (FCCS)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

**DEPARTMENT OF JUSTICE (DOJ)**  
**Legal Activities (LA)**

**Completed Actions**

**2135. GUIDELINES FOR REVIEWING APPLICATIONS FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES FILED UNDER 11 USC 330**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 28 CFR 58

**Completed:**

Reason	Date	FR Cite
Final Action	05/17/96	61 FR 24889
Final Action Effective	01/30/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Martha L. Davis  
Phone: 202 307-1399

**RIN:** 1105-AA33

**2136. MOTOR VEHICLE THEFT PREVENTION PROGRAM**

**Completed:**

Reason	Date	FR Cite
Transfer Development to RIN 1121-AA38	05/16/96	

**RIN:** 1105-AA34

**2137. RECOMMENDATIONS TO THE PRESIDENT ON CIVIL AERONAUTICS BOARD DECISIONS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 28 CFR 25

**Completed:**

Reason	Date	FR Cite
Final Action	04/22/96	61 FR 17575
Final Action Effective	04/22/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Howard M. Blumenthal

Phone: 202 514-2513

Fax: 202 514-9082

**RIN:** 1105-AA41

**DEPARTMENT OF JUSTICE (DOJ)**  
**Office of Justice Programs (OJP)**

**Proposed Rule Stage**

**2138. CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 3789g(a)

**CFR Citation:** 28 CFR 22

**Legal Deadline:** None

**Abstract:** This part provides guidance on complying with the requirements of 42 USC 3789g(a), which requires grantees to maintain strict confidentiality in research or statistical information that is identifiable to an individual, and provides that such information may only be used for the purposes for which it was collected. Although this rule needs to be retained to protect personal privacy interests, as required by law, it will be reinvented to reflect changes in statutory authority, and to ensure that its requirements are as responsive as possible to practical implementation issues of concern to affected State and local governments and individuals.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/97	
NPRM Comment Period End	06/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** John L. Pensinger, Office of the General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
Phone: 202 307-0790

**RIN:** 1121-AA33

**2139. CRIMINAL JUSTICE BLOCK GRANTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 42 USC 3711 et seq

**CFR Citation:** 28 CFR 33

**Legal Deadline:** None

**Abstract:** This part defines eligibility criteria and procedures for applications

and administration for State and local government block grant programs, in order to ensure effective agency stewardship of Federal funds. Although the rule needs to be retained to implement this statutory grant program, it will require reinvention in order to reflect changes in the authorizing statutory authority, and to ensure that its requirements are as responsive as possible to the practical implementation issues of concern to affected State and local governments.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/97	
NPRM Comment Period End	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** John L. Pensinger, Office of the General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
Phone: 202 307-0790

**RIN:** 1121-AA34

**DEPARTMENT OF JUSTICE (DOJ)**  
**Office of Justice Programs (OJP)**

**Final Rule Stage**

**2140. YOUNG AMERICAN MEDALS PROGRAM**

**Priority:** Other Significant  
**Legal Authority:** 42 USC 1921 et seq  
**CFR Citation:** 28 CFR 0.12  
**Legal Deadline:** None  
**Abstract:** The Youth Medals Act 42 USC 1921, et seq., established the Young American Medal for Bravery-- which is awarded to a person who has exhibited exceptional courage, extraordinary decisiveness, presence of mind, and unusual swiftness of action regardless of his or her own personal safety, and who was eighteen years of age or younger at the time of the occurrence. The Act also established the Young American Medal for Service--which is awarded to a person who has displayed outstanding character and service and who was eighteen years of age or younger at the time of the contribution. This rule fulfills congressional intent by establishing the outline of the program in a manner that ensures the statutory requirements are applied appropriately to all applicants while soliciting comments.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/19/96	61 FR 49259
Final Action	01/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Ellen Wesley, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
 Phone: 202 616-3558  
**RIN:** 1121-AA37

**2141. • OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTIVE FORMAL GRANT REGULATION**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 42 USC 5601 et seq  
**CFR Citation:** 28 CFR 31  
**Legal Deadline:** None  
**Abstract:** This rule provides clarification and guidance to States in the formulation, submission, and implementation of State Formula Grant Plans and determinations of State compliance with plan requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34770
NPRM Comment Period End	08/19/96	
Final Action	10/00/96	

**Small Entities Affected:** Governmental Jurisdictions  
**Government Levels Affected:** State, Local  
**Agency Contact:** Robert Dorn, Director, Department of Justice, Office of Justice Programs, 633 Indiana Ave. NW., Washington, DC 20531  
 Phone: 202 307-5924  
**RIN:** 1121-AA39

**2142. • GRANTS PROGRAM FOR INDIAN TRIBES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 42 USC 13701, et seq  
**CFR Citation:** 28 CFR 91  
**Legal Deadline:** None  
**Abstract:** This rule outlines the requirements and procedures to award grants to Indian Tribes for purposes of constructing jails on Tribal lands for the incarceration of offenders subject to Tribal jurisdiction. This rule implements provisions of the Violent Offender Incarceration and Truth-In-Sentencing Grants Program for Indian Tribes as required by Section 114 of the Fiscal Year 1996 Omnibus Consolidated Recissions and Appropriations Act.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/24/96	61 FR 49969
Correction	10/18/96	61 FR 54333
Interim Final Rule Comment Period End	10/24/96	
Final Action	01/00/97	

**Small Entities Affected:** Governmental Jurisdictions  
**Government Levels Affected:** Tribal  
**Agency Contact:** Dr. Stephen Amos, Department of Justice, Office of Justice Programs, Correction Program Office, 633 Indiana Ave. NW., Washington, DC 20531  
 Phone: 202 848-6325  
**RIN:** 1121-AA41

**DEPARTMENT OF JUSTICE (DOJ)**  
**Office of Justice Programs (OJP)**

**Long-Term Actions**

**2143. VIOLENT OFFENDER INCARCERATION AND TRUTH IN SENTENCING INCENTIVE GRANT PROGRAM**

**Priority:** Other Significant  
**CFR Citation:** 28 CFR 91  
**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/07/94	59 FR 63015
Final Action	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local  
**Agency Contact:** Larry Meacham  
 Phone: 202 307-3914  
**RIN:** 1121-AA25

**2144. PRIVATE SECTOR/PRISON INDUSTRY ENHANCEMENT CERTIFICATION**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** Not yet determined

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** Businesses  
**Government Levels Affected:** State, Local  
**Agency Contact:** Thomas Albrecht  
 Phone: 202 514-6236  
**RIN:** 1121-AA36

**DEPARTMENT OF JUSTICE (DOJ)**  
**Office of Justice Programs (OJP)**

**Completed Actions**

**2145. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 82

**Completed:**

Reason	Date	FR Cite
Final Action	07/23/96	61 FR 38085
Final Action Effective	07/23/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Linda J. McKay  
 Phone: 202 514-6638

**RIN:** 1121-AA24

**2146. ARREST POLICIES IN DOMESTIC VIOLENCE CASES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 90.60

**Completed:**

Reason	Date	FR Cite
Final Action	08/06/96	61 FR 40727
Final Action Effective	08/06/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Kathy Schwartz  
 Phone: 202 307-6026

**RIN:** 1121-AA35

**2147. MOTOR VEHICLE THEFT PREVENTION PROGRAM**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 29

**Completed:**

Reason	Date	FR Cite
Final Action	08/06/96	61 FR 40723
Final Action Effective	09/05/96	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Greg Morris  
 Phone: 202 616-3458

**RIN:** 1121-AA38

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