

**PART 139—IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM**

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AUTHORITY: Pub. L. 105-319, 112 Stat. 3013.

SOURCE: 65 FR 14766, Mar. 17, 2000, unless otherwise noted.

**§ 139.1 Purpose.**

(a) The regulations set forth in this Part implement, in part, the “Irish Peace Process Cultural and Training Program Act of 1998 (the “IPPCTPA”), Public Law 105-319, 112 Stat. 3013. The purpose of the IPPCTPA is to establish a program to “allow young people from disadvantaged areas of designated counties suffering from sectarian violence and high structural unemployment to enter the United States for the purpose of developing job skills and conflict resolution abilities in a diverse, cooperative, peaceful, and prosperous environment, so that those young people can return to their homes better able to contribute toward economic regeneration and the Irish peace process.” This part describes the Irish Peace Process Cultural and Training Program (the “IPPCTP”) hereby established by the Department, the procedures for its operation and the requirements for participation.

(b) The Department, in consultation with the Immigration and Naturalization Service (“INS”), will implement the program specified in the IPPCTPA by working with the relevant governmental authorities in the Republic of Ireland and in Northern Ireland to further the goals of the IPPCTPA, by selecting a Program Administrator to carry out the day-to-day operation of the IPPCTP, by approving, upon the recommendation of the Program Administrator, employers in the United States to carry out the training and

employment elements of the IPPCTP and by providing general oversight of the IPPCTP.

**§ 139.2 Definitions.**

The following definitions apply to this part:

*Accompanying family members* means the spouse and minor children of the principal alien.

*Applicant sponsor* means FAS, T&EA, or an employer in the border counties or in Northern Ireland who has nominated an employee to participate in the IPPCTP.

*Border counties* means the counties of Louth, Monaghan, Cavan, Leitrim, Sligo and Donegal in the Republic of Ireland.

*FAS* means the Training and Employment Authority of the Republic of Ireland.

*IPPCTP* means the Irish Peace Process Cultural and Training Program.

*Program Administrator* means the organization selected by the Department to carry out the Department’s responsibilities for the day-to-day management of the IPPCTP.

*Program Participant* means an individual selected to participate in the IPPCTP.

*T&EA* means the Training and Employment Agency of Northern Ireland.

*United States employer* means an employer with operations in the United States that has been recommended by the Program Administrator and approved by the Department of State for participation in the IPPCTP.

**§ 139.3 Responsibilities of the Department.**

The Department of State retains overall authority for all IPPCTP activities, including, but not limited to:

- (a) The design of the program mandated by IPPCTPA;
- (b) The formulation of policies and procedures concerning the IPPCTP;
- (c) The selection and oversight of the Program Administrator;
- (d) Coordination with other U.S. Government agencies and representatives of the governments of the Republic of Ireland and Northern Ireland; and
- (e) Establishment of the requirements for and approval of the United

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States employers who will participate in the program.

#### § 139.4 Responsibilities of the Program Administrator.

The Program Administrator will be responsible for the following:

(a) Identifying job/training opportunities in designated economic sectors, and recommending to the Department employers in the United States who meet the criteria of §139.7 and who wish to participate in the IPPCTP. Job/training opportunities will be located in a number of geographic areas across the United States, depending on the availability of jobs, relative cost of living, support infrastructure, and other relevant factors.

(b) Making available, through electronic or other means, information about job/training openings to potential program participants and assisting them in securing job placements in the United States.

(c) Certifying in writing to a United States consular officer in the United States Embassy in Dublin or the United States Consulate General in Belfast, or to an officer of the INS, that a principal alien has been selected to participate in the IPPCTP. This certification will be used only to assist in:

(1) Nonimmigrant visa issuance to and adjudication of an application for admission made by the principal alien and accompanying family members; or

(2) Adjudicating a request made by the principal alien to change employers under the IPPCTP while in the United States.

(d) Providing pre-departure and pre-employment orientation seminars to program participants, as appropriate, and otherwise assisting participants in a smooth transition to life in the United States.

(e) Monitoring participants' compliance with Program requirements while in the United States, and verifying that participants are receiving the agreed training and skills.

(f) Cooperating with FAS and T&EA in all aspects of the program, including assisting participants in finding jobs in their home countries upon completion of their U.S. training.

(g) Reporting to the Department and INS on various aspects of the program

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and on program participants as directed.

(h) Developing and maintaining a computerized database and website to underpin all of the functions in paragraphs (a) through (g) of this section.

#### § 139.5 Qualifications required for selection as a trainee.

To be selected as a program participant in the IPPCTP, a person must:

(a) Be between 18 and 35 years of age; and

(b) Have been physically resident in Northern Ireland or one of the border counties for at least three months prior to applying to the Program; and

(c) Meet United States immigration/visa requirements, including being in receipt of a job offer certified by the Program Administrator, and able to demonstrate satisfactorily to a Consular Officer that he/she has a residence abroad that he/she has no intention of abandoning; and

(d)(1) Be unemployed for at least 3 months, or have completed or currently be enrolled in a training/program sponsored by T&EA or FAS, or by other such publicly funded programs, or have been made redundant in their employment (i.e., lost his/her job) or have received a notice of redundancy (termination of employment); or

(2) Be a currently employed person whose employer has nominated him/her to participate in this program for additional training or job experience that will benefit both the employee and his/her employer upon returning to the same employment.

#### § 139.6 Requesting participation in the IPPCTP.

Requests for participation as a trainee in the IPPCTP must be made to FAS or T&EA in the case of §139.5(d)(1); or, in the case of §139.5(d)(2), directly to the Program Administrator by the prospective participant's employer.

#### § 139.7 Qualifications for participation as an employer in the United States.

To participate in the Irish Peace Process Cultural and Training Program, U.S. employers must:

(a) Provide job/training opportunities that:

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(1) Correspond to one of the occupational areas identified by the governments of Northern Ireland and the Republic of Ireland; and

(2) Include a career path comprising work assignment rotations, and/or training opportunities, which offer promotion potential if job performance is satisfactory.

(b) Offer health insurance, which, at a minimum, provides:

(1) Medical benefits of at least \$50,000 per accident or illness (major medical); and

(2) A deductible not to exceed \$500 per accident or illness.

(c) Pay participants at least the minimum wage and at the same rate as American workers doing the same or similar work.

(d) Agree not to petition for a change of immigration status or non-immigrant status for any participant.

(e) Grant permission to the Program Administrator to conduct on-site visits and take other measures necessary to verify that each employer's job/training contract is being followed.

(f) Notify the Program Administrator in the event of the termination of a participant from employment, or departure of the participant from the Program.

(g) Prepare a written record describing the work experience gained, and make it available to each participant.

**§ 139.8 Target economic sectors.**

(a) Job/Training under the IPPCTP will focus initially on the following economic sectors:

- (1) Hospitality and tourism;
- (2) Customer service;
- (3) Information and communications technology;
- (4) Pharmaceuticals;
- (5) Engineering;
- (6) Sales, marketing and promotion;
- (7) Agriculture/horticulture diversification;
- (8) Food processing;
- (9) Furniture.

(b) Additional sectors may be added to or deleted from the list in paragraph (a) of this section upon the agreement of the Department and FAS and/or T&EA.

**PART 140—PROHIBITION ON ASSISTANCE TO DRUG TRAFFICKERS**

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AUTHORITY: 22 U.S.C. 2651a(a)(4).

SOURCE: 63 FR 36574, July 7, 1998, unless otherwise noted.

**Subpart A—General**

**§ 140.1 Purpose.**

(a) This part implements Section 487 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. Sec. 2291f).

(b) Section 487(a) directs the President to "take all reasonable steps" to ensure that assistance under the Foreign Assistance Act of 1961 (FAA) and the Arms Export Control Act (AECA) "is not provided to or through any individual or entity that the President knows or has reason to believe":

(1) has been convicted of a violation of, or a conspiracy to violate, any law or regulation of the United States, a State or the District of Columbia, or a foreign country relating [to] narcotic or psychotropic drugs or other controlled substances; or

(2) is or has been an illicit trafficker in any such controlled substance or is or has been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking in any such substance.