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Monday  
May 8, 1995

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**Part XIII**

**Department of State**

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Semiannual Regulatory Agenda

## DEPARTMENT OF STATE (STATE)

## DEPARTMENT OF STATE

## 22 CFR Ch. I

[Public Notice 2108]

## Unified Agenda of Federal Regulations

AGENCY: Department of State.

ACTION: Semiannual publication of regulatory agenda.

**SUMMARY:** Consistent with the Regulatory Flexibility Act of 1980, 5 U.S.C. 602, the Office of Federal Procurement Policy Act Amendments of 1988, 41 U.S.C. 421(g), and OMB guidance to the Department of State pursuant to Executive Order 12866, the April 1995 agenda of regulations of the Department of State is set forth below. The purpose of this publication is to provide information to the public on the Department's regulatory plans. Consistent with OMB guidance, this

agenda includes active continuing items from prior agendas.

**FOR FURTHER INFORMATION CONTACT:** Mary Beth West, Assistant Legal Adviser for Legislation and General Management, Department of State, Room 5425, 2201 C Street NW., Washington, DC 20520-6310; telephone (202) 647-5154.

**Dated:** March 13, 1995.

**Richard M. Moose,**  
*Under Secretary for Management.*

## DEPARTMENT OF STATE (STATE)

## Final Rule Stage

## 2175. FOREIGN PROHIBITIONS ON LONGSHORE WORK BY U.S. NATIONALS

**Legal Authority:** 8 USC 1288(d)

**CFR Citation:** 22 CFR 89 (Revision)

**Legal Deadline:** Final, Statutory, December 31, 1995.

Legal deadline reflects the statutory requirement that the list be updated on an annual basis.

**Abstract:** The above-mentioned statute requires the Secretary of State to compile, and update annually through Notice-and-Comment rulemaking procedures, a list, by particular longshore activity, of countries where performance of such activity is prohibited by law, regulation, or in practice in the country concerned. According to the statute cited above, the Attorney General will use this list for enforcing restrictions on work performed by crewmembers of vessels from such countries. Compilation of the list itself does not involve any significant costs and is based upon information being provided to the Department of State by U.S. diplomatic missions overseas as well as by the public. Questions regarding the policy justification for the list and its use are best directed to the Departments of Labor, Transportation, and Justice.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/30/91	56 FR 24338
Final Rule	12/27/91	56 FR 66970
Final Rule Effective	01/01/92	
Final Rule Correction	01/04/92	57 FR 1384

**Updated List of Countries**

NPRM 11/04/92 (57 FR 52600)  
NPRM Comment Period End 12/04/92  
Final Rule 12/13/93 (58 FR 65118)  
Final Rule Effective 12/13/93  
NPRM 03/24/94 (59 FR 13904)  
NPRM Comment Period End 04/25/94  
Final Rule 06/00/95

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** In accordance with the mandate to maintain annually the list of countries, the Department will issue Final Rules to amend the list as appropriate.

**Agency Contact:** Stephen Miller, Office of Maritime and Land Transport, Bureau of Economic and Business Affairs, Department of State, 2201 C Street NW., Washington, DC 20520-5816, 202 647-6961

**RIN:** 1400-AA34

## 2176. VISAS; PART 41 DOCUMENTATION OF NONIMMIGRANTS UNDER THE INA, AS AMENDED

**Legal Authority:** PL 101-649, title II; PL 101-649, sec 201; PL 101-649, sec 204; PL 101-649, sec 209

**CFR Citation:** 22 CFR 41.51; 22 CFR 41.58; 22 CFR 41.31

**Legal Deadline:** NPRM, Statutory, October 1, 1991.

**Abstract:** The Immigration Act of 1990 (the Act), Pub. L. 101-649, enacted on November 29, 1990, constitutes a comprehensive revision of the United States immigration law. This law modified certain nonimmigrant visa (NIV) classifications and created others. The Immigration and Nationality Act at

section 104 (8 U.S.C. 1104) grants the Secretary of State general authority over the issuance and refusal of visas and to promulgate necessary regulations. This regulation also incorporated RIN 1400-AA52, Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended; Business and Media Visas, Treaty Trader, and Treaty Investors.

**Timetable:****Addition of Brunei**

Interim Final Rule 07/29/93 (58 FR 40585)  
Comment Period End 08/30/93  
Final Action 12/00/95

**Creation of New NIV Classification (R Visa)**

Interim Final Rule 01/06/92 (57 FR 341)  
Comment Period End 02/05/92  
Final Action 12/00/95

**H-L-P-O Visas**

Final Action 07/16/92 (57 FR 31446)

**Modification of E Visa Classification**

NPRM 09/03/91 (56 FR 43565)  
Comment Period End 11/04/91  
Final Action 12/00/95

**Passport and Visa Waiver Requirements**

NPRM 07/30/91 (56 FR 36029)  
Comment Period End 08/29/91  
Final Action 01/11/94 (59 FR 1473)

**Visa Waiver Pilot Program**

Interim Final Rule 09/13/91 (56 FR 46716)  
Comment Period End 10/15/91  
Final Action 12/00/95

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Cornelius D. Scully, III, Office Director, Legislation, Regulations and Advisory Assistance, Department of State, Bureau of Consular Affairs, 2401 E Street NW., SA-1, Washington, DC 20522-0113, 202 663-1184

**RIN:** 1400-AA36

## STATE

## Final Rule Stage

**2177. TRANSIT WITHOUT VISA (TWOV)**

**Legal Authority:** Section 212(d)(4)(C) of the Immigration & Nationality Act (INA)

**CFR Citation:** 22 CFR 41.2(i)

**Legal Deadline:** None

**Abstract:** Under the provision of section 212(d)(4)(C), the Secretary of State and the Attorney General acting jointly have the authority to waive nonimmigrant visa requirements for aliens in continuous and direct transit through the United States. Yugoslavia was removed from the list of countries participating in this program.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/16/93	58 FR 43438
Interim Final Rule	09/15/93	58 FR 43438
Comment Period End		
Final Action	12/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Cornelius D. Scully, III, Office Director, Legislation, Regulations and Advisory Assistance, Department of State, 2401 E Street NW., SA-1, Washington, DC 20522-0113, **202 663-1184**

**RIN:** 1400-AA48

**2178. VISA WAIVER PILOT PROGRAM**

**Legal Authority:** PL 99-603, sec 313; PL 101-649, sec 201; PL 102-232, sec 303

**CFR Citation:** 22 CFR 41.2(l)

**Legal Deadline:** None

**Abstract:** Section 313 of PL 99-603 amended the Immigration and Nationality Act by adding section 217 which established the nonimmigrant Visa Waiver Pilot Program (VWPP). This program waives the nonimmigrant visa requirements, to facilitate the admission of certain nonimmigrant alien visitors under the VWPP. Section 217, as amended by PL 101-649 and PL 102-232, revises from time to time the list of countries designated by the Secretary of State and the Attorney General, acting jointly, to participate in the Visa Waiver Pilot Program. Brunei has been added to that list.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/29/93	58 FR 40585
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cornelius D. Scully, III, Office Director, Legislation, Regulations and Advisory Assistance, Department of State, 2401 E Street NW., SA-1, Washington, DC 20522-0113, **202 663-1184**

**RIN:** 1400-AA49

**2179. NORTH AMERICAN FREE TRADE AGREEMENT**

**Legal Authority:** North American Free Trade Agreement (NAFTA); NAFTA Implementation Act, sec 341 and 342

**CFR Citation:** 22 CFR 41.51; 22 CFR 41.52; 22 CFR 41.59 (New)

**Legal Deadline:** NPRM, Statutory, January 11, 1994.

**Abstract:** Implements chapter 16 of the North American Free Trade Agreement (NAFTA), and sections 341 and 342 of the North American Free Trade Agreement Implementation Act (the Implementation Act), signed December 8, 1993, which addressed the movement of business persons among the United States, Canada, and Mexico. This rule amends regulations concerning two nonimmigrant visa classifications, treaty traders and investors and intracompany transfers, and promulgates new regulations for a category for professionals under INA section 214(e) as amended by the Implementation Act. Regulations spell out requirements for classification as a NAFTA professional.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/28/93	58 FR 68526
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stephen K. Fischel, Chief, Division of Legislation and Regulations, Visa Office, Department of State, 2401 E Street NW., SA-1, Washington, DC 20522-0113, **202 663-1204**

**RIN:** 1400-AA51

**2180. SMALL PURCHASE THRESHOLD FOR GRANTEE PROCUREMENT**

**Legal Authority:** 22 USC 2658

**CFR Citation:** 22 CFR 135.36

**Legal Deadline:** None

**Abstract:** This rule would increase the small purchase threshold for grantee procurement from the current level of \$25,000 to a new level of \$100,000 or the small purchase threshold set in 41 USC 403(11), whichever is greater.

**Timetable:**

Action	Date	FR Cite
NPRM	10/25/94	59 FR 53706
NPRM Comment Period End	12/27/94	59 FR 53706
Final Action	09/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Robert Lloyd, Office of the Procurement Executive, Department of State, Room 603 (A/OPE), SA-6, Washington, DC 20522-0602, **703 516-1690**

**RIN:** 1400-AA53

**2181. B-1 VISA CLASSIFICATION**

**Legal Authority:** PL 101-649, Immigration Act of 1990

**CFR Citation:** 22 CFR 4131

**Legal Deadline:** NPRM, Statutory, October 1, 1991.

**Abstract:** B Visa Regulation revisions which incorporate 9FAM notes and INS OI reflect changes in interpretation of B Visa classes resulting from enactment of Immigration and Naturalization Act of 1990 and MATINA.

**Timetable:**

Action	Date	FR Cite
NPRM	07/26/93	58 FR 40024
NPRM Comment Period Extended to	09/23/93	58 FR 49456
	11/23/93	
NPRM Comment Period End	09/24/93	58 FR 49456
NPRM Comment Period Extended to	11/23/93	58 FR 61856
	12/06/93	
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Stephen K. Fischel, Chief, Division of Legislation and

STATE

Final Rule Stage

Regulations, Department of State, 2401 E Street NW. (SA-1), Washington, DC 20522-0113, **202 663-1204**  
**RIN: 1400-AA54**

**2182. • NONPROCUREMENT DEBARMENT AND SUSPENSION; COMMON RULE TO ACHIEVE RECIPROCITY WITH PROCUREMENT**

**Legal Authority:** 22 USC 2658  
**CFR Citation:** 22 CFR 137.100; 22 CFR 137.105; 22 CFR 137.110; 22 CFR 137.200; 22 CFR 137.225 and app A

**Legal Deadline:** None  
**Abstract:** Applies effect of debarment/suspension equally among contract and grant programs.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None  
**Agency Contact:** Robert Lloyd, Office of the Procurement Executive, Department of State, Room 603, SA-6, Washington, DC 20522-0602, **703 516-1690**  
**RIN: 1400-AA55**

**2183. • NOTARIAL AND RELATED SERVICES**

**Legal Authority:** PL 103-236, sec 127(B); 22 USC 4221; 22 USC 4215

**CFR Citation:** 22 CFR 92.1(b); 22 CFR 92.2; 22 CFR 92.4; 22 CFR 92.5; 22 CFR 92.6 and 92.6(B); 22 CFR 92.7; 22 CFR 92.31; 22 CFR 92.51; 22 CFR 92.52; 22 CFR 92.55; 22 CFR 92.66

**Legal Deadline:** None  
**Abstract:** These additions and amendments to the CFR will allow officers other than commissioned foreign service officers to perform

notarial acts excluding authentications. The extension of this responsibility for these administrative acts to these officers will allow foreign service consular officers to concentrate on managing consular functions.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/16/94	59 FR 64881
ANPRM Comment Period End	01/27/95	59 FR 64881
Final Action	04/00/95	

**Small Entities Affected:** None  
**Government Levels Affected:** State, Local, Tribal, Federal  
**Agency Contact:** Carmen A. DiPlacido, Director of Policy Review and Interagency Liaison, Department of State, 2201 C Street NW., Room 4817, Washington, DC 20520, **202 647-3666**  
**RIN: 1400-AA57**

DEPARTMENT OF STATE (STATE)

Completed/Longterm Actions

**2184. GRANTS AND COOPERATIVE AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS**

**CFR Citation:** 22 CFR 145  
**Completed:**

Reason	Date	FR Cite
Final Action	04/20/94	59 FR 18730
Final Action Effective	10/01/94	59 FR 18730

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Robert Lloyd, **703 516-1690**  
**RIN: 1400-AA20**

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Rose Biancaniello, **703 875-6644**  
**RIN: 1400-AA23**

**2186. AMENDMENT TO DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR CASE 89-011)**

**CFR Citation:** 48 CFR 601 to 670 (Revision)  
**Completed:**

Reason	Date	FR Cite
Final Action	12/28/94	59 FR 66749
Final Action Effective	12/28/94	59 FR 66749

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**2185. INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR)**

**CFR Citation:** 22 CFR 120 to 130

**Completed:**

Reason	Date	FR Cite
Withdrawn	03/31/95	

**Agency Contact:** Gladys Gines, **703 516-1691**  
**RIN: 1400-AA31**

**2187. VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED; BUSINESS AND MEDIA VISAS, TREATY TRADER, AND TREATY INVESTORS**

**CFR Citation:** 22 CFR 41.51; 22 CFR 41.58; 22 CFR 41.2(l); 22 CFR 41.31  
**Completed:**

Reason	Date	FR Cite
Merged With RIN 1400-AA36	10/01/94	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Stephen K. Fischel, **202 663-1204**  
**RIN: 1400-AA52**  
 [FR Doc. 95-7556 Filed 05-05-95; 8:45 am]  
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