

Federal Reserve

**Tuesday
November 28, 1995**

Part XI

**Department of
Justice**

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: Regulatory agenda.

SUMMARY: The Department of Justice is publishing its October 1995 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, 10th and Constitution 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: September 28, 1995.
Eleanor D. Acheson,
Assistant Attorney General, Office of Policy Development.

Bureau of Prisons—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1874	Release of Information	1120-AA21
1875	Postsecondary Education Programs	1120-AA25
1876	Plastic Surgery	1120-AA26
1877	Inmate Discipline (Good Conduct Time)	1120-AA34
1878	Special Food	1120-AA37
1879	Correspondence	1120-AA38
1880	Inmate Organizations	1120-AA42

Bureau of Prisons—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1881	Volunteer Community Service Projects	1120-AA03
1882	Intensive Confinement Centers	1120-AA11
1883	Research	1120-AA14
1884	Incoming Publications/Inmate Legal Activities	1120-AA15
1885	Religious Beliefs and Practices	1120-AA17
1886	English as a Second Language Program	1120-AA19
1887	Administrative Remedy Program	1120-AA20
1888	HIV Programs; Notification Provisions	1120-AA22
1889	Infectious Diseases	1120-AA23
1890	Inmate Work and Performance Pay Program	1120-AA28
1891	Fines and Costs	1120-AA29
1892	Birth Control, Pregnancy, Child Placement, Abortion	1120-AA31
1893	Literacy Program	1120-AA33
1894	Postsecondary Education Programs	1120-AA35
1895	Drug Abuse Treatment Programs: Early Release Consideration	1120-AA36
1896	Telephone Regulations and Inmate Financial Responsibility	1120-AA39
1897	Use of Force	1120-AA41
1898	Central Inmate Monitoring	1120-AA43
1899	Education Tests: Minimum Standards for Administration, Interpretation, and Use	1120-AA44
1900	Unescorted Transfers and Voluntary Surrenders	1120-AA45
1901	Inmate Personal Property	1120-AA46
1902	Scope of Rules: National Security Considerations	1120-AA47

DOJ

Bureau of Prisons—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1903	Correspondence: Restricted Special Mail Procedures	1120-AA48

Bureau of Prisons—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1904	Drug Abuse Treatment Programs	1120-AA16
1905	Classification and Program Review	1120-AA30
1906	Administrative Safeguards for Psychiatric Treatment and Medication	1120-AA40

Civil Rights Division—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1907	Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities; Children's Facilities	1190-AA34
1908	Nondiscrimination on the Basis of Disability in State and Local Government Services	1190-AA36
1909	Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities	1190-AA38

Civil Rights Division—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1910	Nondiscrimination on the Basis of Disability in State and Local Government Services; Public Accommodations and Commercial Facilities; Accessibility Standards (Reg Plan Seq. No. 62)	1190-AA26

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
1911	Nondiscrimination on the Basis of Sex in Federally Assisted Programs and Activities—Implementation of Title IX of the Education Amendments of 1972	1190-AA28
1912	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
1913	Amendment to Nondiscrimination in Federally Assisted Programs and Activities—Implementation of Title VI of the Civil Rights Act of 1964	1190-AA31
1914	Amendment to Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964	1190-AA32
1915	Unfair Immigration-Related Employment Practices	1190-AA33
1916	Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, As Amended	1190-AA35
1917	Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups	1190-AA39

Drug Enforcement Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1918	Reports of Precursor and Essential Chemical Imports and Exports	1117-AA17
1919	Definition and Registration of Disposers	1117-AA19
1920	Removal of Restrictions on Employing Certain Individuals	1117-AA28

DOJ

Drug Enforcement Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1921	Waiver of Requirements for Distribution of Prescription Drug Products That Contain List I Chemicals	1117-AA29
1922	Manufacturer Reporting	1117-AA30
1923	Exemption of Chemical Mixtures	1117-AA31
1924	Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Federal Food, Drug, and Cosmetic Act	1117-AA32
1925	Consolidation, Elimination, and Clarification of Various Regulations	1117-AA33
1926	Diversions Control Fee Account	1117-AA34

Drug Enforcement Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1927	Prescriptions for Controlled Substances, Requirements for Use of Automated Data Processing Systems	1117-AA03
1928	Information for Exports of Precursor and Essential Chemicals	1117-AA18
1929	Distribution of Chemical Import/Export Declaration	1117-AA21

Drug Enforcement Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1930	Reporting on Psychotropic Substances	1117-AA22

Drug Enforcement Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1931	Exemption of Agents and Employees; Affiliated Practitioners	1117-AA20
1932	Implementation of Domestic Chemical Diversion Act of 1993	1117-AA23
1933	Registration of Manufacturers of Controlled Substances	1117-AA24
1934	Provisional Exemption From Registration for Certain List I Chemical Handlers; Extension	1117-AA35

Executive Office for Immigration Review—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1935	Motions and Appeals in Immigration Proceedings	1125-AA01
1936	Rules Concerning Conditional Permanent Residence for Alien Entrepreneurs in Deportation Proceedings	1125-AA02

Executive Office for Immigration Review—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1937	Stipulated Requests for Deportation or Exclusion Orders; Telephonic, Video Teleconferenced Hearings	1125-AA03
1938	Citizenship Requirement for Employment	1125-AA05
1939	Administrative Naturalization	1125-AA06
1940	Immigration Court Designation	1125-AA08
1941	Board of Immigration Appeals Expansion to Permanent 12 Members	1125-AA09
1942	Application for Suspension of Deportation, Form EOIR-40	1125-AA10

DOJ

General Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1943	Supplemental Standards of Ethical Conduct for Employees of the Department of Justice	1103-AA25

Immigration and Naturalization Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1944	Revised Grounds of Exclusion, Parole of Aliens into the United States, and Waivers of Inadmissibility for Immigrants and Nonimmigrants	1115-AB45
1945	Visa Waiver Pilot Program	1115-AB93
1946	Adjustment of Status to That of Person Admitted for Permanent Residence: Conditional Residents and Fiance(e)s	1115-AC70
1947	Physical and Mental Examination of Arriving Aliens	1115-AD10
1948	Mexican and Canadian Nonresident Alien Border Crossing Cards (BCCS)	1115-AD24
1949	J Nonimmigrants: Requirements for Admission and Maintenance of Status; Employment Authorization	1115-AD37
1950	Appellate Jurisdiction	1115-AD41
1951	Validity of Approved Petitions and Appeal Rights	1115-AD45
1952	Issuance of Travel Documents Using Form I-131	1115-AD46
1953	Citizenship Documents	1115-AD51
1954	Standardized Testing for Naturalization; Procedures for Approval of Test Providers	1115-AD52
1955	Nonimmigrant Classes; Diplomat and Government Representatives	1115-AD57
1956	Procedures for Filing a Derivative Petition (Form I-730) for a Spouse and Unmarried Children of a Refugee/Asylee	1115-AD59
1957	Executing Final Order of Exclusion or Deportation; Conforming 72-Hour Notice Provisions	1115-AD71
1958	Clarification of Filing Venue, Fees, and Filing Requirements for Certain Applications for Replacement Alien Registration Card, Form I-551	1115-AD81
1959	Fees Assessed for Defaulted Payments	1115-AD92
1960	Arrival/Departure Records; Retention of Departure Portion of the Form I-94 for Seaports	1115-AD94
1961	Inspection of Alien Crew Members; 90-day Waiver	1115-AD95
1962	Screening Requirements of Carriers	1115-AD97
1963	Automated Issuance of Form I-94 Arrival/Departure Record	1115-AD99
1964	Cost of Detention of Stowaways Seeking Asylum	1115-AE03
1965	Nonimmigrant Classes; Transits; Requirements for Admission, Extension, and Maintenance of Status	1115-AE05
1966	Control of Employment of Aliens; Centralized Employment Authorization Document Production	1115-AE06
1967	Streamlining Naturalization (Reg Plan Seq. No. 63)	1115-AE18
1968	Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship to Children Born Abroad	1115-AE19

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

Immigration and Naturalization Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1969	Nonimmigrant Classes; Temporary Employees	1115-AA25
1970	Arrest and Detention of Aggravated Felons	1115-AB19
1971	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
1972	Field Officers; Powers and Duties; Subpoena	1115-AB63
1973	Nonimmigrant Classes; North American Free Trade Agreement (U.S.-Canada Free-Trade Agreement Amendments)	1115-AB72
1974	Control of Employment of Aliens (Reg Plan Seq. No. 64)	1115-AB73
1975	Termination of Temporary Resident Status	1115-AB74
1976	Temporary Protected Status	1115-AC30
1977	Application for the Exercise of Discretion Under 212c, Aggravated Felons	1115-AC35
1978	Consent To Reapply for Admission After Deportation, Removal, or Departure at Government Expense	1115-AC37
1979	Applicant Processing for Family Unity Benefits	1115-AC39
1980	Petition To Classify Alien as Immediate Relative of a United States Citizen or Preference Immigrant; Adjustment of Status to That of a Person Admitted for Permanent Residence	1115-AC43

DOJ

Immigration and Naturalization Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1981	Conditional Basis of Lawful Permanent Residence for Certain Alien Spouses and Sons and Daughters; Battered and Abused Conditional Residents	1115-AC47
1982	Treaty Aliens, E Classification	1115-AC51
1983	Release Procedures; Lawful Permanent Residents Convicted of Aggravated Felonies	1115-AC60
1984	Temporary Alien Workers Seeking Classification Under the Immigration and Nationality Act	1115-AC72
1985	Registration and Fingerprinting of Nonimmigrants Designated by the Attorney General; Removal of Certain Requirements for Nonimmigrants Bearing Iraqi and Kuwaiti Travel Documents	1115-AC83
1986	Adjustment of Status to That of Person Admitted for Permanent Residence: Interview	1115-AD12
1987	F Nonimmigrants Requirements for Admission, Maintenance of Status; Employment Authorization	1115-AD16
1988	Inspection of Persons Applying for Admission	1115-AD17
1989	Classification of Certain Scientists of the Independent States of the Former Soviet Union and Baltic States as Employment-Based Immigrants	1115-AD29
1990	Adjustment of Status; Certain Nationals of the Peoples Republic of China	1115-AD33
1991	Privilege of Communication	1115-AD50
1992	Revocation of Naturalization	1115-AD54
1993	Petitions for Employment-Based Immigrants	1115-AD55
1994	INS Forms Available From the Superintendent of Documents	1115-AD58
1995	Rules and Procedures for Adjudication of Application for Asylum or Withholding of Deportation and Employment Authorization	1115-AD64
1996	Temporary Alien Workers Seeking H Classifications for the Purpose of Obtaining Graduate Medical Education or Training	1115-AD66
1997	Requests for Additional Evidence To Support Immigrant Visa Petitions	1115-AD70
1998	Reorganization of the Immigration and Naturalization Service	1115-AD72
1999	Expansion of Direct Mail Program	1115-AD73
2000	Admission of Certain Nurses Seeking Nonimmigrant Classification Under the H-1A Category	1115-AD74
2001	Certification of Designated Outside Entities To Take Fingerprints	1115-AD75
2002	Waiver of Certain Types of Visas Unforeseen Emergency	1115-AD77
2003	Fees for Participation in Dedicated Commuter Lanes at Selected Ports of Entry; Collection of Fees Under the Dedicated Commuter Lane Program; Port Passenger Accelerated Service System, PORTPASS	1115-AD82
2004	Adjustment of Status to That of Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions on Eligibility	1115-AD83
2005	Revocations and Designation of International Airport Status for Ports of Entry for Aliens Arriving by Aircraft	1115-AD84
2006	Nonimmigrant Classes; S Classification; Law Enforcement Initiatives; Alien Witnesses	1115-AD86
2007	Establishment of Form I-551, Alien Registration Receipt Card, as the Exclusive Form of Registration for Lawful Permanent Residents	1115-AD87
2008	Waiver of the Two-Year Home Country Physical Presence Requirement for Certain Foreign Medical Graduates	1115-AD89
2009	Immigrant Petitions; Children of Widows and Widowers	1115-AD91
2010	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
2011	Preinspection Services for Aircraft, Vessels, and Trains Outside the United States (Preinspection)	1115-AD98
2012	Former Citizens of the United States Regaining United States Citizenship	1115-AE00
2013	Expanding Waiver of the Government Knowledge, U.S. History, and English Language Requirements for Naturalization for Certain Persons Over 65 Who Have Resided in the U.S. at Least 20 Years	1115-AE02
2014	Self-Petitioning for Battered and Abused Alien Spouses and Children	1115-AE04
2015	Nationality and Naturalization	1115-AE07
2016	Notice of Policy Regarding Contracts Between the Immigration and Naturalization Service and Transportation Lines	1115-AE08
2017	Notice of Policy Regarding Fines Imposed on Carriers who Bring Aliens to the United States Without Proper Documentation	1115-AE09
2018	Notice to Carriers of the INS Policy Requesting the U.S. Customs Service (USCS) to Deny or Revoke Permission to Unlade Passengers for Those That are Delinquent in INS Fines Liquidated Damages	1115-AE10
2019	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
2020	Order To Show Cause and Notice of Hearing: Apprehension, Custody, and Detention	1115-AE13
2021	"Master Exhibits" Currently Available	1115-AE14
2022	Subpoena Issuance Authority	1115-AE15
2023	Disclosure of Information	1115-AE17

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

DOJ

Immigration and Naturalization Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2024	Seizure and Forfeiture of Conveyances	1115-AA95
2025	Revision of Immediate and Continuous Transit Agreements	1115-AC17
2026	Unavailability to TWOV to Citizens of the Former Socialist Federal Republic of Yugoslavia	1115-AC87
2027	Nonimmigrant Classes; B Visitor for Business or Pleasure	1115-AC89
2028	Resubmission of Rejected Applications for Legalization	1115-AD49
2029	Administrative Application for Suspension of Deportation Procedure Before a District Director	1115-AD78
2030	Border Services User Fee	1115-AE01
2031	Employer Sanctions Modifications	1115-AE21

Immigration and Naturalization Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2032	Adjustment of Status to That of Persons Admitted for Lawful Temporary or Permanent Resident Status Under Section 245a of the Immigration and Nationality Act, as Amended	1115-AC18
2033	Biennial INS User Fee Review	1115-AD06
2034	Charging of Fees for Services at Land Border Ports-of-Entry	1115-AD30
2035	Automatic Revocation of Approval of Petitions	1115-AD56
2036	Denial of Employment Authorization to Aliens Placed in Deportation or Exclusion Proceedings as a Result of Encounter While Engaged in Unauthorized Employment	1115-AD65
2037	Mailing Addresses, Various Applications	1115-AD67
2038	Administrative Deportation Procedures for Non-Lawful Permanent Residents Who Are Convicted of an Aggravated Felony	1115-AD76
2039	Immigrant Petitions; Aliens in Religious Occupations	1115-AD79
2040	Contracts With Transportation Lines; Signatory Authority	1115-AD85
2041	Organizational Structure of the Immigration and Naturalization Service	1115-AD90
2042	Enroute Inspection Travel Expense; Liability for Cruise Ships	1115-AD93
2043	Naturalization Pilot Project; Availability of Funds; Solicitation of Proposals	1115-AE12
2044	Change in Employment Authorization Filing Procedures	1115-AE16
2045	Philippine Veterans of World War II Based Upon Active Duty Service in the United States Armed Forces During Specified Periods of Hostilities	1115-AE20
2046	Adding Daytona, Florida and Memphis, Tennessee to the List of Ports of Entry Accepting Applications for Direct Transit Without Visa	1115-AE22

Legal Activities—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2047	Criminal Fines Enforcement	1105-AA16
2048	Violent Crime and Drug Emergency Areas	1105-AA29
2049	Qualifications for Chapter 13 Standing Trustees	1105-AA32
2050	Motor Vehicle Theft Prevention Program	1105-AA34
2051	Use and Examination of Materials Submitted Pursuant to the Antitrust Civil Process Act	1105-AA37
2052	Designation of Agencies to Receive and Investigate Reports Required Under the Victims of Child Abuse Act	1105-AA38
2053	Implementation of Communications Assistance for Law Enforcement Act	1105-AA39
2054	Procedures for Receipt and Consideration of Written Comments Submitted Under Subsection 2(b) of the Antitrust Procedures and Penalties Act	1105-AA40
2055	False Claims Amendments Act of 1986—Civil Investigative Demands	1105-AA42

DOJ

Legal Activities—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2056	Revision of Regulations Governing the Remission or Mitigation of Civil and Criminal Forfeitures	1105-AA23
2057	Qualifications for Trustees	1105-AA30
2058	Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 USC 330	1105-AA33
2059	Jacob Wetterling Crimes Against Children and Sexually Violent Offender Guidelines	1105-AA36
2060	Recommendations to the President on Civil Aeronautics Board Decisions	1105-AA41

Legal Activities—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2061	Production or Disclosure of Material or Information	1105-AA20
2062	Federal Claims Collection Standards (FCCS)	1105-AA31

Office of Justice Programs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2063	Arrest Policies in Domestic Violence Cases	1121-AA35

Office of Justice Programs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2064	Uniform Administrative Requirements for Grants and Cooperative Agreements to Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	1121-AA18
2065	Violent Offender Incarceration and Truth in Sentencing Incentive Grant Program	1121-AA25
2066	Victim Assistance Grant Program Guidelines	1121-AA30

Office of Justice Programs—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
2067	State Criminal Alien Assistance Program	1121-AA24
2068	Criminal Justice Information Systems	1121-AA32
2069	Confidentiality of Identifiable Research and Statistical Information	1121-AA33
2070	Criminal Justice Block Grants	1121-AA34

Office of Justice Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2071	Drug Court Program	1121-AA26
2072	Grants to Combat Violent Crimes Against Women	1121-AA27
2073	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirement for Drugfree Workplace (Grants)	1121-AA29

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

Proposed Rule Stage

1874. 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	02/00/96	
NPRM Comment Period End	04/00/96	
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-AA21

1875. 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	11/00/95	

Action Date FR Cite

NPRM Comment Period End	01/00/96	
Final Action	07/00/96	

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-AA25

1876. PLASTIC SURGERY

Priority: Routine and Frequent

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 revises the Bureau's regulations on plastic surgery to allow for approval ordinarily only in cases where plastic surgery is a standard medical treatment for a current condition and for the protection of WITSEC inmate identities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	
Final Action	07/00/96	

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-AA26

1877. 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	11/00/95	
NPRM Comment Period End	01/00/96	
Final Action	07/00/96	
Final Action Effective	07/00/96	

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

1878. SPECIAL FOOD

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 547

Legal Deadline: None

Abstract: This document clarifies the Bureau's regulations on the introduction of special foods into an institution.

Timetable:

Action	Date	FR Cite
NPRM	09/13/95	60 FR 47648
NPRM Comment Period End	11/13/95	
Final Action	04/00/96	

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-AA37

DOJ—BOP

Proposed Rule Stage

1879. CORRESPONDENCE

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 540

Legal Deadline: None

Abstract: This document changes the official responsible for approving correspondence between inmates in different federal institutions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	
Final Action	07/00/96	

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-AA38

1880. • INMATE ORGANIZATIONS

Priority: Routine and Frequent

Legal Authority: 18 USC 1512; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 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 551.30 to 551.36

Legal Deadline: None

Abstract: This document generally revises the regulations governing

inmate organizations. The revised provisions prohibit fund-raising activities by inmates and require the orderly disbursement of accumulated funds.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	12/00/95	
Final Action	01/00/96	

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-AA42

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Bureau of Prisons (BOP)

1881. 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	12/00/95	

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

1882. 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	01/00/96	
Final Action	07/00/96	

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

1883. 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

DOJ—BOP

Final Rule Stage

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	11/00/95	

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

1884. 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	59 FR 2668
Final Action	01/00/96	

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

1885. 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	05/00/96	

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

1886. 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

eight grade level on a nationally recognized test.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/29/94	59 FR 14724
Final Action	12/00/95	

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

1887. ADMINISTRATIVE REMEDY 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 542

Legal Deadline: None

Abstract: This document revises Bureau regulations to allow for procedural changes in the processing of inmate remedy requests. These changes include slight increases in the time limits set for inmate filings and agency responses, added protections against abusive filers, the provisioning of assistance to inmates, and increased access to indexes and responses.

Timetable:

Action	Date	FR Cite
NPRM	10/03/94	59 FR 50179
NPRM Comment Period End	12/02/94	
Final Action	12/00/95	

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-AA20

DOJ—BOP

Final Rule Stage

1888. HIV PROGRAMS; NOTIFICATION PROVISIONS

Priority: Other Significant

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 549.16

Legal Deadline: None

Abstract: This document amends existing regulations on HIV programs in order to adjust the reporting period for notification to the U.S. Probation Office and to describe more completely the conditions requiring notification.

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	

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-AA22

1889. 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
Interim Final Rule	12/04/95	
Comment Period End		
Final Action	06/00/96	

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-AA23

1890. INMATE WORK AND PERFORMANCE PAY PROGRAM

Priority: Routine and Frequent

Legal Authority: 18 USC 3013; 18 USC 3571; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 3663; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4126; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

CFR Citation: 28 CFR 545.20 to 545.31

Legal Deadline: None

Abstract: In this document, the Bureau of Prisons is amending its rule on the Inmate Work and Performance Pay Program to make changes necessary to conform with the revised provisions of the Inmate Financial Responsibility Program and to make other minor changes, primarily of an editorial nature.

Timetable:

Action	Date	FR Cite
Final Action	12/00/95	
Final Action Effective	12/00/95	

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-AA28

1891. 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	02/00/96	
Final Action Effective	02/00/96	

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

1892. 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	03/00/96	
Final Action Effective	03/00/96	

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-AA31

1893. 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	12/00/95	
Final Action	06/00/96	
Final Action Effective	06/00/96	

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-AA33

1894. 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.

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	
Final Action Effective	11/00/95	

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

1895. 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	05/25/95	60 FR 27692
Final Action	02/00/96	

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

1896. 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
Final Action	01/00/96	
Final Action Effective	01/00/96	

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

1897. • USE OF FORCE

Priority: Routine and Frequent

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

CFR Citation: 28 CFR 552.24

Legal Deadline: None

Abstract: This document increases the frequency of staff monitoring of inmates in four-point restraints.

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	
Final Action Effective	11/00/95	

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-AA41

1898. • CENTRAL INMATE MONITORING

Priority: Routine and Frequent

Legal Authority: 18 USC 3521 to 3528; 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 524.70 to 524.78

Legal Deadline: None

Abstract: This document revises regulations on the Bureau's central inmate monitoring system for general clarity, to remove obsolete categories, to update staff responsibilities, and to make various changes in administrative procedures.

DOJ—BOP

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	
Final Action Effective	11/00/95	

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-AA43

1899. • EDUCATION TESTS: MINIMUM STANDARDS FOR ADMINISTRATION, INTERPRETATION, AND USE

Priority: Other

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

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 544.10 to 544.13

Legal Deadline: None

Abstract: This document rescinds existing Bureau regulations on testing requirements, as guidelines established by test publishers are adequate for the administrative processing of education tests.

Timetable:

Action	Date	FR Cite
Final Action	12/00/95	
Final Action Effective	12/00/95	

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-AA44

1900. • UNESCORTED TRANSFERS AND VOLUNTARY SURRENDERS

Priority: 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	11/00/95	
Final Action Effective	11/00/95	

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

1901. • 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
Final Action	11/00/95	
Final Action Effective	11/00/95	

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

1902. • 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	11/00/95	
Final Action	05/00/96	
Final Action Effective	05/00/96	

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-AA47

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

Long-Term Actions

**1903. • CORRESPONDENCE:
 RESTRICTED SPECIAL MAIL
 PROCEDURES**

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 540.18
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: Next Action Undetermined

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

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

Completed Actions

**1904. DRUG ABUSE TREATMENT
 PROGRAMS**

Priority: Routine and Frequent
CFR Citation: 28 CFR 550.50 to 550.54; 28 CFR 545.11; 28 CFR 545.23; 28 CFR 545.25

Completed:

Reason	Date	FR Cite
Final Action	05/25/95	60 FR 27692
Final Action Effective	06/26/95	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Roy Nanovic
 Phone: 202 514-6655
RIN: 1120-AA16

Completed:

Reason	Date	FR Cite
Final Action	06/27/95	60 FR 33320
Final Action Effective	07/27/95	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Roy Nanovic
 Phone: 202 514-6655
RIN: 1120-AA30

Legal Deadline: None
Abstract: This document adopts as final interim regulations on administrative procedural safeguards given an inmate prior to the provision of involuntary psychiatric treatment and medication.
Timetable:

Action	Date	FR Cite
Interim Final Rule	11/12/92	57 FR 53820
Final Action	09/25/95	60 FR 49444
Final Action Effective	09/25/95	

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-AA40

**1905. CLASSIFICATION AND
 PROGRAM REVIEW**

Priority: Routine and Frequent
CFR Citation: 28 CFR 524.12

**1906. • ADMINISTRATIVE
 SAFEGUARDS FOR PSYCHIATRIC
 TREATMENT AND MEDICATION**
Priority: Routine and Frequent
Legal Authority: 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 18 USC 4042; 18 USC 4045; 18 USC 4081; 18 USC 4082; 18 USC 4241 to 4247; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510
CFR Citation: 28 CFR 549

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

Proposed Rule Stage

**1907. AMERICANS WITH DISABILITIES
 ACT ACCESSIBILITY GUIDELINES
 FOR BUILDINGS AND FACILITIES;
 CHILDREN'S FACILITIES**

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 12134; 42 USC 12186; 5 USC 301; 28 USC 509; 28 USC 510; PL 101-336
CFR Citation: 28 CFR 38; 36 CFR 1191

Legal Deadline: None
Abstract: This rule would amend Department regulations concerning titles II and III of the Americans with Disabilities Act of 1990 (ADA) to add a new special application section to the

ADA standards for Accessible Design for children's facilities. The new section will contain guidelines based on children's dimensions and anthropometrics and would apply to newly constructed and altered facilities designed for use primarily by children.
Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local
Additional Information: AGENCY CONTACT CONT: TDD (808) 514-0383
Agency Contact: John Wodatch, Chief, Disability Rights Section, Department of Justice, Civil Rights Division, P.O. Box 66118, Washington, DC 20035-6118
 Phone: 800 514-0301
RIN: 1190-AA34

DOJ—CRT

Proposed Rule Stage

1908. • 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	10/00/95	

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

1909. • NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PUBLIC ACCOMMODATIONS AND COMMERCIAL 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 accessibility guidelines 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	11/00/95	
NPRM Comment Period End	01/00/96	

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

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

Final Rule Stage

1910. 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. 62 in Part II of this issue of the Federal Register.

RIN: 1190-AA26

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

Long-Term Actions

1911. 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

1912. PROCEDURES FOR COMPLAINTS OF EMPLOYMENT DISCRIMINATION FILED AGAINST RECIPIENTS OF FEDERAL FINANCIAL ASSISTANCE; RESCISSION OF LIMITATION ON PARTICIPATION OF THE DEPARTMENT OF EDUCATION

Priority: Other

CFR Citation: 28 CFR 42; 29 CFR 1691

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: Federal

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

RIN: 1190-AA30

1913. AMENDMENT TO NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS AND ACTIVITIES—IMPLEMENTATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Priority: Other Significant

CFR Citation: 28 CFR 42.101 to 42.112

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
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RIN: 1190-AA31

1914. 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

1915. UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES

Priority: Substantive, Nonsignificant

CFR Citation: 28 CFR 44.100 to 44.305

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/14/91	56 FR 40247
Interim Final Rule Effective	08/14/91	56 FR 40247
Interim Final Rule Comment Period End	10/15/91	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Ho-Gonzalez
 Phone: 202 616-5594
 TDD: 202 616-5525
 Fax: 202 616-5509

RIN: 1190-AA33

1916. 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:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Mark Posner
 Phone: 202 307-1388
 Fax: 202 307-3961

RIN: 1190-AA35

1917. • IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 28 USC 509 to 510; 42 USC 1973b; 42 USC 1973j(d); 42 USC 1973aa-1a; 42 USC 1973aa-2

CFR Citation: 28 CFR 55

Legal Deadline: None

Abstract: This rule revises the Attorney General's minority language guidelines as a result of experience gained under the guidelines since they were first promulgated in 1976.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Susanna C. Lorenzo-Giguere, Attorney, Department of Justice, Civil Rights Division, P.O. Box 66128, Washington, DC 20035
 Phone: 202 514-9822
 Fax: 202 307-3961

RIN: 1190-AA39

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

Proposed Rule Stage

1918. REPORTS OF PRECURSOR AND ESSENTIAL CHEMICAL IMPORTS AND EXPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 802; 21 USC 830; 21 USC 871(b); 21 USC 971

CFR Citation: 21 CFR 1310; 21 CFR 1313

Legal Deadline: None

Abstract: This rule would amend 21 CFR, parts 1310 and 1313, to require that persons importing or exporting regulated chemicals: report to DEA the actual date of importation or exportation and the actual amount of regulated chemicals imported or exported; establish a 60-day time limit on the validity of chemical import/export declarations; and clarify that the threshold levels for hydrochloric acid, anhydrous hydrochloric acid, and sulfuric acid apply to both exports and transshipments to designated countries. 21 U.S.C. 971 requires that persons provide DEA with notification of imports and exports of regulated chemicals at least 15 days in advance of the proposed transactions. Experience has shown that the actual date of import/export and amount of chemicals involved often vary significantly from the proposed date and amounts reported to DEA. The proposed changes will allow DEA to collect and maintain accurate information regarding regulated chemical imports/exports.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: DEA 106

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-AA17

1919. 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 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	01/00/96	

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

1920. 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	10/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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

1921. • 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.

Legal Authority: 21 USC 802; 21 USC 822; 21 USC 871(b)

CFR Citation: 21 CFR 1309; 21 CFR 1310

Legal Deadline: None

Abstract: This rule would amend 21 CFR, parts 1309 and 1310, to waive the requirement for registration, and allow the use of records required to be kept under FDA regulations in lieu of maintaining separate DEA records, for the distribution of drug products that are subject to regulation as List I chemicals.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

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-AA29

1922. • 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.

Legal Authority: 21 USC 802; 21 USC 830; 21 USC 871(b)

CFR Citation: 21 CFR 1310

Legal Deadline: None

Abstract: This rule specifies the reporting requirements for bulk chemical manufacturers, as required by the Domestic Chemical Diversion Control Act of 1993. The rule provides that existing reports may be used to satisfy the reporting requirement.

Regulations concerning this requirement were previously proposed in the NPRM re: Implementation of the Domestic Chemical Diversion Control Act of 1993 (1117-AA23). Following industry comments, the reporting provisions were withdrawn for further consideration and consultation with industry. Based on consultations with industry new regulations are now being proposed.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

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-AA30

1923. • 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	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

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

1924. • REMOVAL OF EXEMPTION FOR CERTAIN PSEUDOEPHEDRINE PRODUCTS MARKETED UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 802; 21 USC 811; 21 USC 830; 21 USC 871(b)

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

Legal Deadline: None

Abstract: DEA is proposing to remove certain pseudoephedrine products from the exemption granted to drug products that are marketed under the Federal Food, Drug, and Cosmetic Act, based on evidence that the products are being diverted for the illicit manufacture of controlled substances. DEA is proposing to limit the regulation of

these products to the distribution level through waiver of the registration requirement for retailers and establishment of a threshold that will not require recordkeeping and reporting for sales of personal use quantities to legitimate users. Further, the number of products to be regulated has been limited.

Timetable:

Action	Date	FR Cite
NPRM	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

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-AA32

1925. • 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.

DOJ—DEA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/00/96	

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

1926. • 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	12/00/95	

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

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Drug Enforcement Administration (DEA)

1927. 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: This rule will amend existing regulations concerning the maintenance and retrieval of controlled substance prescription information stored in automated data processing systems. The rule is intended to clarify and simplify existing requirements. Some of these requirements are being met in another rule concerning the facsimile transmission of prescriptions.

Timetable:

Action	Date	FR Cite
NPRM	09/05/89	54 FR 36815
NPRM Comment Period End	11/24/89	54 FR 43436
Final Action	10/00/95	

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

1928. INFORMATION FOR EXPORTS OF PRECURSOR AND ESSENTIAL CHEMICALS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 802; 21 USC 830; 21 USC 871(b); 21 USC 971

CFR Citation: 21 CFR 1313

Legal Deadline: None

Abstract: This rule would require regulated persons to submit information on customers for specific chemicals shipped to certain countries along with the present reporting form required by DEA (DEA Form 486; OMB No. 1117-0023). The information is being required due to the extremely high risk of diversion of such chemicals within those countries where large quantities of illicit drugs are processed or manufactured.

Timetable:

Action	Date	FR Cite
NPRM	08/12/93	58 FR 42894
NPRM Comment Period End	09/13/93	58 FR 42894
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: DEA 107

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-AA18

1929. 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.

Legal Authority: 21 USC 802; 21 USC 830; 21 USC 871(b); 21 USC 971

CFR Citation: 21 CFR 1313

Legal Deadline: None

Abstract: The DEA is amending its regulations concerning the disposition of Copy 3 of the Precursor and Essential Chemical Import/Export Declaration (DEA Form 486). The amendment is being made to eliminate confusion between the regulation and the instructions set forth on the reporting form.

Timetable:

Action	Date	FR Cite
NPRM	09/23/93	58 FR 49455
NPRM Comment Period End	11/22/93	58 FR 49455
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: DEA 110

Agency Contact: James A. Pacella, Chief, Policy Unit, Office of Diversion Control, Department of Justice, Drug Enforcement Administration, Washington, DC 20537

DOJ—DEA

Final Rule Stage

Phone: 202 307-7297

RIN: 1117-AA21

DEPARTMENT OF JUSTICE (DOJ)

Long-Term Actions

Drug Enforcement Administration (DEA)

1930. 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	58 FR 53680
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 1117-AA22

DEPARTMENT OF JUSTICE (DOJ)

Completed Actions

Drug Enforcement Administration (DEA)

1931. EXEMPTION OF AGENTS AND EMPLOYEES; AFFILIATED PRACTITIONERS

Priority: Substantive, Nonsignificant

CFR Citation: 21 CFR 1301

Completed:

Reason	Date	FR Cite
Final Action	07/18/95	60 FR 36640
Final Action Effective	09/18/95	

Small Entities Affected: None

Government Levels Affected: None

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

RIN: 1117-AA20

Government Levels Affected: None

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

RIN: 1117-AA23

1933. REGISTRATION OF MANUFACTURERS OF CONTROLLED SUBSTANCES

Priority: Substantive, Nonsignificant

CFR Citation: 21 CFR 1301

Completed:

Reason	Date	FR Cite
Final Action	06/20/95	60 FR 32099
Final Action Effective	07/20/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Julie C. Gallagher
Phone: 202 307-8010

RIN: 1117-AA24

CFR Citation: 21 CFR 1310.09

Legal Deadline: None

Abstract: DEA is extending the temporary exemption from the chemical registration requirements to allow persons who were not aware of the requirement to submit their applications on or before October 5, 1995, additional time to prepare and submit their applications.

Timetable:

Action	Date	FR Cite
Extension of Deadline by Rule - New Deadline	10/12/95	60 FR 53121
	11/13/95	

Small Entities Affected: None

Government Levels Affected: None

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-AA35

1932. IMPLEMENTATION OF DOMESTIC CHEMICAL DIVERSION ACT OF 1993

Priority: Other Significant

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

Completed:

Reason	Date	FR Cite
Final Action	06/22/95	60 FR 32447
Final Action Effective	08/21/95	

Small Entities Affected: None

1934. • PROVISIONAL EXEMPTION FROM REGISTRATION FOR CERTAIN LIST I CHEMICAL HANDLERS; EXTENSION

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 802; 21 USC 830; 21 USC 871(b)

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Executive Office for Immigration Review (EOIR)

1935. 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.

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; Sec. 2, Reorg. Plan No. 2 of 1950; 3 CFR, 1949 to 1953 Comp, p 1002

DOJ—EOIR

Final Rule Stage

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

Legal Deadline: NPRM, Statutory, June 1991.

Abstract: Proposed regulations were published in the Federal Register on June 7, 1994 (59 FR 29386) (hereinafter referred to as the June proposed rulemaking), concerning motions and appeals in immigration proceedings and on May 13, 1994 (59 FR 24977) (hereinafter referred to as the May proposed rulemaking), concerning fees. The June proposed rulemaking was promulgated to implement section 545 of the Immigration Act of 1990, Public Law 101-649, which requires both time and number limitations on motions to reopen and reconsider and changes in the substantive and procedural aspects of motion and appeal practice. The May proposed rulemaking was promulgated to establish an alternative procedure for filing proof of fee payments with the Board of Immigration Appeals (Board).

Since the publication of these two proposed rules, the agency has further examined its current appeal procedures and has decided to establish a uniform central system for filing and tracking appeals before the Board. Under the proposed procedure, parties would file a notice of appeal from a decision of an Immigration Judge and remit the appeal fee or fee waiver petition with the notice of appeal directly to the Board. The rule would also require that motions to reopen and motions to reconsider decisions of the Board be filed directly with the Board accompanied by the appropriate fee or fee waiver petition. This rule would supersede the May and June proposed rulemakings.

This proposed centralization of the appeals procedure is fundamentally

interrelated to the proposed changes of both the May and June proposed rulemakings. Therefore, the agency has determined to merge these substantive and procedural proposals into one rule and to provide an opportunity for public comment on this merged rule. The June proposed rule has been changed to clarify certain provisions and to reflect many of the commentors' concerns. The single unified proposed rule is published herein and addresses both the language of section 545(d) of the Immigration Act of 1990 and new procedural changes to the filing of appeals, motions, and their concomitant fees with the Board.

Timetable:

Action	Date	FR Cite
NPRM	06/07/94	59 FR 29386
NPRM Comment	08/08/94	
Period End		
Second NPRM	05/09/95	60 FR 24573
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: EOIR-102P

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-AA01

1936. 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	12/13/93	58 FR 59953
Period End		
Final Action	12/00/95	
Final Action Effective	02/00/96	

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

DEPARTMENT OF JUSTICE (DOJ)

Completed Actions

Executive Office for Immigration Review (EOIR)

1937. STIPULATED REQUESTS FOR DEPORTATION OR EXCLUSION ORDERS; TELEPHONIC, VIDEO TELECONFERENCED HEARINGS

Priority: Other

CFR Citation: 8 CFR 3

Completed:

Reason	Date	FR Cite
Final Action	05/17/95	60 FR 26351
Final Action Effective	06/16/95	

Small Entities Affected: None

Government Levels Affected: Federal

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

RIN: 1125-AA03

1938. CITIZENSHIP REQUIREMENT FOR EMPLOYMENT

Priority: Other

CFR Citation: 8 CFR 3

Completed:

Reason	Date	FR Cite
Final Action	06/05/95	60 FR 29467
Final Action Effective	07/05/95	

Small Entities Affected: None

DOJ—EOIR

Completed Actions

Government Levels Affected: Federal
Agency Contact: Margaret M. Philbin
 Phone: 703 305-0470
RIN: 1125-AA05

1939. • ADMINISTRATIVE NATURALIZATION

Priority: Other

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

CFR Citation: 8 CFR 337

Legal Deadline: None

Abstract: On February 3, 1995, at 60 FR 6647, the Department of Justice published a rule finalizing the procedures implementing an administrative naturalization process as provided for by recent changes in the immigration laws. This rule amends those procedures slightly by extending concurrent jurisdiction to administer the oath of allegiance to Immigration Judges with certain officers of the Immigration and Naturalization Service. This change will provide a more formal setting for the oath of allegiance and add to the solemnity of the occasion upon which a person becomes a citizen of the United States. In addition, it will alleviate in some measure the burden on Service personnel and resources to hold periodic naturalization ceremonies by expanding the responsibility for this duty to Immigration Judges.

Timetable:

Action	Date	FR Cite
Final Action	07/24/95	60 FR 37803
Final Action Effective	07/24/95	

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-AA06

1940. • IMMIGRATION COURT DESIGNATION

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; 8 CFR 103; 8 CFR 204; 8 CFR 208; 8 CFR 212; 8 CFR 236; 8 CFR 240; 8 CFR 242; 8 CFR 245; 8 CFR 292

Legal Deadline: None

Abstract: This final rule amends 8 CFR 3, 103, 204, 208, 212, 236, 240, 242, 245, and 292 by replacing the tribunal name "Office of the Immigration Judge" with the tribunal name "Immigration Court." This rule codifies current usage of the term "Immigration Court" in reference to deportation and exclusion proceedings conducted before Immigration Judges throughout the United States. The rule makes no substantive changes in Immigration Judge proceedings.

Timetable:

Action	Date	FR Cite
Final Action	06/30/95	60 FR 34089
Final Action Effective	06/30/95	

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-AA08

1941. • BOARD OF IMMIGRATION APPEALS EXPANSION TO PERMANENT 12 MEMBERS

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: This final rule expands the Board of Immigration Appeals to twelve permanent members, including eleven Board Members and a Chairman. The rule also retains the authority of the Director of the Executive Office for Immigration Review to designate Immigration Judges as temporary additional Board Members.

Timetable:

Action	Date	FR Cite
Final Action	06/05/95	60 FR 29469
Final Action Effective	06/05/95	

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-AA09

1942. • APPLICATION FOR SUSPENSION OF DEPORTATION, FORM EOIR-40

Priority: Substantive, Nonsignificant

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; 31 USC 9701; EO 12356, 47 FR 14874, 15557; 3 CFR, 1982 Comp, p 166; 8 CFR 2

CFR Citation: 8 CFR 103; 8 CFR 244; 8 CFR 299

Legal Deadline: None

Abstract: This final rule amends the regulations to reflect the change in responsibility for the Form I-256A, Application for Suspension of Deportation, from the Immigration and Naturalization Service to the Executive Office for Immigration Review. As a result of this change in responsibility, the form number for the Application for Suspension of Deportation has been changed from I-256A to EOIR-40. This final rule is necessary to ensure that the public uses the correct form when applying for suspension of deportation.

Timetable:

Action	Date	FR Cite
Final Action	07/20/95	60 FR 37327
Final Action Effective	07/20/95	

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-AA10

DEPARTMENT OF JUSTICE (DOJ)
General Administration (DOJADM)

Final Rule Stage

1943. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF JUSTICE

Priority: Other

Legal Authority: 5 USC 301; 5 USC 7301; 5 USC app, Ethics in Government Act of 1978, as amended; 18 USC 207(h)(1); 18 USC 208; 28 USC 528; EO 12674; EO 12731; 5 CFR 735; 5 CFR 2634; 5 CFR 2635; 5 CFR 2641; DOJ Ord 1735.1

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

Legal Deadline: None

Abstract: This rule would supplement the uniform Standards of Ethical Conduct for Employees of the Executive Branch for employees of the Department of Justice. This supplement is necessary because it addresses statutory requirements and issues that are unique to the Department. In addition, the rule would remove the existing Department standard-of-conduct regulations from 28 CFR part 45.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/00/96	

Small Entities Affected: None

Government Levels Affected: None

Sectors Affected: None

Agency Contact: Rafael Alberto Madan, Attorney Advisor, Justice Management Division, Department of Justice, 10th & Constitution Avenue NW., Washington, DC 20530
 Phone: 202 514-3452

RIN: 1103-AA25

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

Proposed Rule Stage

1944. 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 90, as well as subsequent technical amendments to the statute. 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	11/00/95	

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, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
 Phone: 202 514-5014

RIN: 1115-AB45

1945. VISA WAIVER PILOT 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 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 as well as at 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 No. 1447 permits nationals of 13 additional designated countries, Andorra, Austria, Belgium, Denmark, Finland, Iceland, Liechtenstein, Luxembourg, Monaco, New Zealand, Norway, Spain, and San Marino to apply for admission for 90 days or less as nonimmigrant visitors for business or pleasure without first obtaining a nonimmigrant visa

INS No. 1447R amends section 217 by removing Andorra, Austria, Italy, and Monaco as countries participating in the Visa Waiver Pilot Program. This action is necessary because these countries no longer meet the criteria for continued participation in the program.

INS No. 1674 provided notice of the Congressional extension of the VWPP through 9-30-96.

INS No. 1685 extends the VWPP to nationals of Ireland and also allows nationals of designated countries whose method of arrival at port-of-entry had previously precluded them from participating in the VWPP to now participate.

DOJ—INS

Proposed Rule Stage

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
NPRM (INS No. 1447R)	11/00/95	
Final Rule (INS No. 1447)	12/00/95	
Final Rule (INS No. 1685)	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1447-91, 1447R-93, 1674-94, and 1685-95.

Final action pending (INS No. 1447 and 1447R); awaiting State Department review of concurrent regulations.

Agency Contact: Ronald Hays, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536
Phone: 202 514-2694

RIN: 1115-AB93

1946. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE: CONDITIONAL RESIDENTS AND FIANCE(E)S

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 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 regulation amends 8 CFR 245.1(b)(12) to clarify that an alien lawfully admitted for permanent residence on a conditional basis under either section 216 or section 216A of the Act remains ineligible for

adjustment of status under section 245 of the Act even after the alien's status has been terminated under section 216 or section 216A of the Act respectively.

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1353-91

Agency Contact: Rita A. Arthur, Adjudications 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

1947. PHYSICAL AND MENTAL EXAMINATION OF ARRIVING ALIENS

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 1103; 8 USC 1224

CFR Citation: 8 CFR 234

Legal Deadline: None

Abstract: This regulation is to be implemented in conjunction with regulations issued by the Department of Health and Human Services, Public Health Service (PHS). The rule ensures implementation of regulatory compliance with section 601(a) of the Immigration Act of 1990, Pub. L. 101-649 (IMMACT) as it relates to the physical and mental examination of aliens arriving into the United States. The rule also serves to provide guidance for the designation of civil surgeons and the creation and implementation of a program aimed at monitoring their activities to ensure compliance with the applicable INS/PHS regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1446-92

Agency Contact: Sophia Cox, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AD10

1948. 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 would standardize guidelines for the issuance of border crossing cards on the northern and southern borders to aliens who are citizens and residents of Mexico and Canada.

This rule will have minimal impact and should standardize guidelines for issuance of BCCs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1390-92

Agency Contact: Thomas Andreotta, Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536

DOJ—INS

Proposed Rule Stage

Phone: 202 514-2694

RIN: 1115-AD24

1949. 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.

Legal Authority: 8 USC 1101; 8 USC 1184; 8 USC 1324a

CFR Citation: 8 CFR 214; 8 CFR 274a

Legal Deadline: None

Abstract: The United States Information Agency (USIA) published regulations at 22 CFR 514 on March 19, 1993 (58 FR 15180) which made significant changes to the administration of the international educational and cultural exchange visitor category (J), including Service procedures for monitoring the authorized stay of program participants and authorizing employment for J aliens. 8 CFR 214.1, 214.2, and 274a.12 will be changed to implement these procedures and eliminate burdensome paperwork for both the Service and public.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1610-93

USIA published final ruling 3/19/93. INS awaiting inter-agency Memorandum of Understanding from USIA.

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

RIN: 1115-AD37

1950. APPELLATE JURISDICTION

Priority: Substantive, Nonsignificant

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

Legal Authority: 5 USC 301; 8 USC 1103; 8 USC 1252 note; 8 USC 1252b; 8 USC 1362; 8 USC 1101; 8 USC 1201; 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 3; 8 CFR 103; 8 CFR 204; 8 CFR 212; 8 CFR 236; 8 CFR 280

Legal Deadline: None

Abstract: This regulation will redefine the appellate jurisdictional roles between the Office of Administrative Appeals and the Board of Immigration Appeals. This regulation provides a common-sense approach to appellate jurisdiction of the Office of Administrative Appeals and the Board of Immigration Appeals.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1613-93

Agency Contact: Terrance M. O'Reilly, Director, Office of Administrative Appeals, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., ULLB-3rd Floor, Washington, DC 20536
Phone: 202 786-4256

RIN: 1115-AD41

1951. VALIDITY OF APPROVED PETITIONS AND APPEAL RIGHTS

Priority: Routine and Frequent

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 reinstates and clarifies procedures which determine when a relative petition remains valid or becomes invalid and ceases to convey a priority date. It also reinstates and revises procedures relating to a

petitioner's appellate rights by extending the period in which an appeal may be filed from 15 to 30 days. This will standardize the filing period given petitioners who file appeals with the Board of Immigration Appeals by conforming them with the 30-day filing period given applicants who appeal with the Service's Administrative Appeals Division.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1619-93

Agency Contact: Carole George and Yolanda Sanchez-K, Outreach Specialists & Adjudications Officers Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
Phone: 202 307-3587

RIN: 1115-AD45

1952. ISSUANCE OF TRAVEL DOCUMENTS USING FORM I-131

Priority: Routine and Frequent

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 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1304; 8 CFR 2

CFR Citation: 8 CFR 103; 8 CFR 212; 8 CFR 299

Legal Deadline: None

Abstract: This rule renames and redesignates Form I-131, Application for Travel Document, for multiple use by any person in the U.S. seeking a reentry permit, refugee travel document or parole documents, and boarding letters including those issued by foreign consulates abroad.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1620-93

Agency Contact: Jack Rasmussen, Senior Immigration Examiner,

Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
Phone: 202 514-5014

RIN: 1115-AD46

1953. 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.

Legal Authority: 8 USC 1101; 8 USC 1101, note; 8 USC 1103; 8 USC 1409; 8 USC 1435; 8 USC 1443; 8 USC 1444; 8 USC 1448; 8 USC 1452; 8 USC 1453; 8 USC 1454; 8 USC 1455; 8 CFR 2; 5 USC 552; 66 Stat 173

CFR Citation: 8 CFR 341; 8 CFR 342; 8 CFR 343; 8 CFR 343a; 8 CFR 343b; 8 CFR 343c

Legal Deadline: None

Abstract: This rule will reorganize and revise those parts of the regulations regarding the issuance of various citizenship documents issued by the Service such as Certificates of Citizenship and replacement documents. It will allow for automation of the Service's procedures to give more efficient service to the public. It will also consolidate the rules regarding who may be issued such documentation so that the public may more easily determine what services are available.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1637-93

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

RIN: 1115-AD51

1954. STANDARDIZED TESTING FOR NATURALIZATION; PROCEDURES FOR APPROVAL OF TEST PROVIDERS

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 1423; 8 USC 1443; 8 USC 1447; 8 USC 1448

CFR Citation: 8 CFR 312

Legal Deadline: None

Abstract: The Immigration and Naturalization Service (Service) is proposing a change in the criteria currently used for approving testing entities to administer standardized United States government, history and written and oral English testing for persons applying to become naturalized United States citizens. Dramatic increases in the number of individuals filing to become citizens and the need to strengthen the approval criteria in order to prevent fraud necessitate this change. After implementation, this rule will provide permanent procedures for approving testing entities to administer oral and written English language and civics testing and will allow the Service to focus manpower resources of naturalization interviews warranting greater investigation.

This rule while adding a section to 8 CFR, will assist the public by controlling the authorization of local testing centers, thereby eliminating fraud which is now plaguing the system.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1275-93

Agency Contact: William R. Tollifson, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
Phone: 202 514-5014

RIN: 1115-AD52

1955. NONIMMIGRANT CLASSES; DIPLOMAT AND GOVERNMENT REPRESENTATIVES

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 identifies the extent to which diplomats and representatives of international organizations can work outside their official capacity. The rule will be undertaken as a result of a working relationship between the INS and the Department of State.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: INS No. 1631-93

Agency Contact: Katharine A. Lorr, Adjudications 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

1956. 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

DOJ—INS

Proposed Rule Stage

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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1639-93

Agency Contact: Carole George and Yolanda Sanchez-K, Outreach Specialists & Adjudications, Officers Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
Phone: 202 307-3587

RIN: 1115-AD59

1957. 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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1661-94

Agency Contact: Robert K. Bingham, 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

1958. CLARIFICATION OF FILING VENUE, FEES, AND FILING REQUIREMENTS FOR CERTAIN APPLICATIONS FOR REPLACEMENT ALIEN REGISTRATION CARD, FORM I-551

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1103; 8 USC 1201; 8 USC 1201a; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305; 8 USC 1101; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186A; 8 USC 1255

CFR Citation: 8 CFR 264; 8 CFR 299; 8 CFR 204; 8 CFR 211; 8 CFR 223; 8 CFR 235; 8 CFR 251; 8 CFR 252; 8 CFR 274a; 8 CFR 316; 8 CFR 334

Legal Deadline: None

Abstract: INS No. 1671 clarifies the filing venue for Form I-90, Application by a Lawful Permanent Resident (LPR) for an Alien Registration Receipt Card, the circumstances in which that application would be exempted from the filing fee, and certain other requirements. This rule is necessary to minimize confusion over certain aspects of filing for replacement alien registration cards.

INS No. 1703 extends the validity of Form I-151 until March 20 1996 in order to allow additional time for the processing of applications filed to replace the old form I-151 cards with the current form I-551, Alien Registration Receipt Card.

Timetable:

Action	Date	FR Cite
Final Rule(INS No. 1381X) Eff. 3/20/94	09/14/94	59 FR 47063
Final Rule(INS No. 1703) Eff. 3/17/95; Cut-off 3/20/96	03/17/95	60 FR 14353
NPRM(INS No. 1671)	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1671-94 and INS No. 1703-95

Cross Reference: INS No. 1381X-94, RIN 1115-AD32

8 CFR 264.1(b) and 299.1 are impacted by Espindola v. INS which is pending in the U.S. District Court for the Eastern District of Colorado.

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

RIN: 1115-AD81

1959. FEES ASSESSED FOR DEFAULTED PAYMENTS

Priority: Other

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 5 USC 552; 5 USC 552a; 31 USC 9701; EO 12356, 47 FR 14874, 15557; 3 CFR, 1982 Comp., p 166; 8 CFR 2

CFR Citation: 8 CFR 103

Legal Deadline: None

Abstract: This document proposes to amend existing Immigration and Naturalization Service (Service) regulations to increase the fee imposed when a check submitted to the Service in payment of a fee is not honored by the bank upon which it is drawn, from \$5.00 to \$30.00. The purpose of the proposed change is to enable the Service to recoup the administrative costs incurred in processing all returned checks and other defaulted payments. This action will result in the Service no longer losing money as a result of bad check activity. The rule will apply to all returned checks, including Immigration User Fee payments bounce, fines, penalties, etc.. The rule is necessary in order for the INS to recover the entire cost associated

with the processing of defaulted payments.

Timetable:

Action	Date	FR Cite
NPRM	09/28/95	60 FR 50145
NPRM Comment Period End	11/27/95	
Final Action	02/00/96	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1692-95

Agency Contact: Allen Sinsheimer, Systems Accountant, Office of Finance, Management, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6008, Washington, DC 20536
Phone: 202 616-7715

RIN: 1115-AD92

1960. ARRIVAL/DEPARTURE RECORDS; RETENTION OF DEPARTURE PORTION OF THE FORM I-94 FOR SEAPORTS

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 1221; 8 USC 1228; 8 USC 1229; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1252

CFR Citation: 8 CFR 235; 8 CFR 231

Legal Deadline: None

Abstract: This rule will allow the alien passenger to retain the departure Form I-94 while on vessels at sea instead of turning it in and having to prepare a new one for every entry into the US after departing from contiguous territory or adjacent islands. It is necessary to reduce INS resources expended on the inspection of non-immigrant aliens traveling on cruise vessels which originated in the US. It will reduce the cost to the INS while facilitating the entry of bona fide travelers, and enhance the image of the INS with the tourism industry.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: INS No. 1694-95

Agency Contact: Patrice Ward, 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-AD94

1961. INSPECTION OF ALIEN CREW MEMBERS; 90-DAY WAIVER

Priority: Other

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: Currently INS inspects all crew members on a cruise vessel that arrives for the first time in a US port-of-entry, then only inspects those crew members every 90-days with another physical presentation. The inspectors inspect every new arriving and departing crew member and obtain crew manifests on all voyages of the vessel. The use of the 90-day waiver is necessary to meet the statutory requirement of inspecting everyone arriving in the US, while concurrently attempting to address the cruise industry's growth and INS' budgetary and personnel constraints.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: INS No. 1695-95

Agency Contact: Patrice Ward, 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-AD95

1962. SCREENING REQUIREMENTS OF CARRIERS

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

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.

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 With 30-day Comment Period	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: INS No. 1697-95

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

DOJ—INS

Proposed Rule Stage

1963. 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.

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: The INS is in the process of automating the issuance and collection of the Form I-94/I-94W; arrival/departure record. This rule will provide the guidelines for carriers to issue and collect the revised document.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: INS No. 1699-95

Agency Contact: Ronald J. Hayes, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7223, Washington, DC 20536
Phone: 202 514-3019

RIN: 1115-AD99

1964. COST OF DETENTION OF STOWAWAYS SEEKING ASYLUM

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 1255; 8 USC 1282; 8 USC 1283; 8 USC 1285

CFR Citation: 8 CFR 235; 8 CFR 237; 8 CFR 253

Legal Deadline: None

Abstract: The rule clarifies INS policy relating to the custody and costs of detention of stowaways, especially those seeking asylum. The rule will require carriers to remove most stowaways on the vessel or aircraft on arrival, and will allow for INS

detention of asylum-seeking stowaways. The rule will also delineate carrier and INS costs for such detention.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1704-95

Agency Contact: Linda Loveless, 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-AE03

1965. NONIMMIGRANT CLASSES; TRANSITS; REQUIREMENTS FOR ADMISSION, EXTENSION, AND MAINTENANCE OF STATUS

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; 8 CFR 2

CFR Citation: 8 CFR 214

Legal Deadline: None

Abstract: The INS proposes to change regulations at 8 CFR 214.2(c)(2) relating to persons entitled to pass in transit to and from the UN Headquarters District. The current rules restrict aliens in transit to the UN from traveling beyond the UN Headquarters District (defined as a 25-mile radius of Columbus Circle, NY, NY). The proposed changes would allow an alien on official business in possession of a C-2 nonimmigrant visa to travel outside the UN Headquarters District unless otherwise provided by the Secretary of State. The changes also describe the term "official business" so that alien consultants to the UN may be included in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1706-95

Agency Contact: Helen V. deThomas, Adjudications Officer, Examinations,

Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AE05

1966. CONTROL OF EMPLOYMENT OF ALIENS; CENTRALIZED EMPLOYMENT AUTHORIZATION DOCUMENT PRODUCTION

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 1324a; 8 CFR 2

CFR Citation: 8 CFR 274a

Legal Deadline: None

Abstract: This rule would provide for the centralized production of all employment authorization documents (EADs) at one or more service centers. Centralization will allow the INS to utilize new technology to produce more secure EADs. This will benefit employers, aliens with employment authorization and the INS.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

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.

Additional Information: INS No. 1707-95

Agency Contact: Sharen Nichols, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3040, Washington, DC 20536
Phone: 202 514-3156

RIN: 1115-AE06

DOJ—INS

Proposed Rule Stage

**1967. ● STREAMLINING
NATURALIZATION**

Regulatory Plan: This entry is Seq. No. 63 in Part II of this issue of the Federal Register.

RIN: 1115-AE18

**1968. ● 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. The purpose of the rule is to ensure that all women receive equal treatment under laws relating to nationality. 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
NPRM	11/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1736-95

Agency Contact: Jane Baker, Adjudications 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

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Immigration and Naturalization Service (INS)

**1969. NONIMMIGRANT CLASSES;
TEMPORARY EMPLOYEES**

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 1184; 8 USC 1258

CFR Citation: 8 CFR 214

Legal Deadline: None

Abstract: The Immigration Reform and Control Act of 1986 (IRCA) imposed sanctions against employers who hire aliens not authorized to work. Since many of the nation's agricultural employers have become dependent upon such workers to meet production and harvesting needs, Congress created the Special Agricultural Workers (SAW) Program and the Replenishment Agricultural Workers (RAW) Program to grant permanent resident status to certain agricultural workers. To clarify the process through which employers can employ nonimmigrant seasonal and temporary agricultural workers, Congress moved agricultural employment from H-2 classification into a separate H-2A class, and incorporated a labor certification process into the statute. This rule established special H-2A regulatory criteria, and supplemented the Department of Labor's rules covering the temporary agricultural labor

certification process. This rule has amended Service regulations which pertain to temporary alien workers seeking classification under section 101(a)(15)(H) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
NPRM; Com. Due	10-08/08/86	51 FR 28576

7-86

Interim Final Rule Eff. 06/01/87 52 FR 20554
6-1-87; Com. Due
7-31-87

2nd Interim Final Rule 02/00/96

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1302-90

Rule contingent upon Department of Labor final regulations.

Cross reference INS No. 1008-88

Agency Contact: Helen V. deThomas, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AA25

**1970. ARREST AND DETENTION OF
AGGRAVATED FELONS**

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 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 11/00/95

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1209-90

Agency Contact: Ira L. Frank, Senior Special Agent, Investigations, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536

DOJ—INS

Final Rule Stage

Phone: 202 514-0747
 RIN: 1115-AB19

1971. 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
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

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.

Timetable:

Action	Date	FR Cite
NPRM	02/07/94	59 FR 5533
NPRM Comment Period End	03/09/94	59 FR 5533
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1328-93

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

RIN: 1115-AB52

1972. 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
NPRM Comment Period End	10/28/91	
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1242-90

Agency Contact: Ira L. Frank, 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

1973. 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 the past year 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

Action	Date	FR Cite
Interim Final Rule; Correction	01/13/94	59 FR 1992
Final Action	11/00/95	

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, Adjudications 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

1974. CONTROL OF EMPLOYMENT OF ALIENS

Regulatory Plan: This entry is Seq. No. 64 in Part II of this issue of the Federal Register.

RIN: 1115-AB73

1975. TERMINATION OF TEMPORARY RESIDENT STATUS

Priority: Other

Legal Authority: 8 USC 1103; 8 USC 1160; 8 CFR 2

CFR Citation: 8 CFR 210

Legal Deadline: None

Abstract: This rule amends regulations concerning termination of temporary resident status granted to an alien as a Special Agricultural Worker. This rule will ensure that affected aliens are notified of the grounds alleged for termination of status and are given an opportunity to appeal any adverse decision.

Timetable:

Action	Date	FR Cite
Interim Final Rule Eff. 4-5-90; Com. Due 5-7-90	04/05/90	55 FR 12629
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1260-90

Agency Contact: Kathy Craig, Senior Immigration Examiner, Examinations,

DOJ—INS

Final Rule Stage

Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AB74

1976. TEMPORARY PROTECTED STATUS

Priority: 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: 8 USC 1103; 8 USC 1254a; 8 USC 1254a note; 8 USC 1362; 8 USC 1324a; 8 USC 1101; 8 CFR 2; 28 USC 509; 5 USC 301; 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1201; 8 USC 1304; 31 USC 9701

CFR Citation: 8 CFR 3; 8 CFR 103; 8 CFR 240; 8 CFR 274a; 8 CFR 299

Legal Deadline: Final, Statutory, January 1, 1991.

Implementation date for TPS Program and for designation of El Salvador.

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.

Recent 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.

INS No. 1740 relays the Service's action of granting an automatic extension until 1-31-96 of the validity of any EAD or work permit bearing an expiration date of 12-31-94, and previously issued to a Salvadoran on the basis of DED. This action should ensure ample opportunity for Salvadoran beneficiaries of DED to apply for a new EAD based on a pending asylum application.

INS No. 1729 provides for the extension of designation of Somalia for TPS through 9-17-96.

INS No. 1730 provides for the extension of designation of Bosnia-Herzegovina for TPS through 8-10-96.

INS No. 1689 provides for the extension of designation of Liberia for TPS through 3-28-96.

INS No. 1723 provides for the extension of designation of Rwanda for TPS through 6-6-96.

Timetable:

Bosnia-Herzegovina Eff. 08/11/95; Extended until 08/10/96

Notice of TPS Ext. (INS 1730) 07/31/95 (60 FR 39004)

Exceptions to Registration

TPS Final Rule (INS No. 1608-93) 11/00/95

Liberia TPS (INS No. 1689-95)

Exten. of Desig. 3/28/95 to 3/28/96 03/29/95 (60 FR 16163)

Rwanda

Exten. of Desig. 6/7/95 to 6/6/96 05/23/95 (60 FR 27790)

Salvadorans (DED); Filing deadline under "ABC" settlement (1740)

Eff. 9-27-95; Appli. due by 1-31-96 09/27/95

Extension of Work Authorization 09/27/95 (60 FR 49921)

Somalia Eff. 09/18/95; Ext. until 07/17/96

Notice of TPS Ext. (INS 1729) 07/31/95 (60 FR 39005)

8 CFR Part 240 Removal of Obsolete TPS Language (1612-93)

Proposed Rule 11/00/95

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: Additional contact: Gerald Hurwitz, EOIR, 703-756-6470.

The Attorney General may designate other countries for TPS.

INS Nos. 1608, 1662, 1723, 1612, 1729, 1730, and 1740

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

RIN: 1115-AC30

1977. APPLICATION FOR THE EXERCISE OF DISCRETION UNDER 212C, AGGRAVATED FELONS

Priority: Routine and Frequent

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

CFR Citation: 8 CFR 212

Legal Deadline: None

Abstract: This regulation implements section 511 of the Immigration Act of 1990, Pub. L. 101-649, by providing that a lawful permanent resident applying for advance permission to enter the United States under section 212(c) of the Act may not be granted such permission if he or she has been convicted of an aggravated felony and has served a term of imprisonment of at least five years.

The Immigration and Nationality Technical Corrections Act of 1994, Pub. L. 103-416, revised the definition of "aggravated felony", thereby requiring changes to the interim regulations. A second interim rule will be promulgated.

This rule will also provide that certain specified aliens are ineligible for discretionary relief under section 212(c) of the Act for a period of five years from the date of the barring act if the alien fails to appear for deportation, appear at an asylum hearing, or voluntarily depart.

Timetable:

Action	Date	FR Cite
Interim Final Rule, Eff. 10-3-91; Com. Due 11-4-91	10/03/91	56 FR 50033

2nd Interim Final Rule 11/00/95

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: INS No. 1405-91

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

RIN: 1115-AC35

1978. CONSENT TO REAPPLY FOR ADMISSION AFTER DEPORTATION, REMOVAL, OR DEPARTURE AT GOVERNMENT EXPENSE

Priority: Routine and Frequent

Legal Authority: 8 USC 1101; 8 USC 1182; 8 USC 1182c; 8 USC 1184; 8 USC 1125; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 CFR 2; 8 USC 1102; 8 USC 1103

CFR Citation: 8 CFR 212

Legal Deadline: None

DOJ—INS

Final Rule Stage

Abstract: This rule implements section 514 of the Immigration Act of 1990 (IMMACT 90), Pub. L. 101-649, by extending from ten to twenty years the bar on reentry into the United States after deportation or removal of aliens who are convicted on one or more aggravated felonies. The change applies to admission occurring on or after January 1, 1991.

The Immigration and Nationality Technical Corrections Act of 1994, Pub. L. 103-416, changed the statutory definition of "aggravated felony" thereby requiring further modifications to the regulatory document. A second interim rule will therefore be promulgated.

Timetable:

Action	Date	FR Cite
Interim Final Rule, Eff. 5-21-91; Com. Due 6-20-91	05/21/91	56 FR 23212

2nd Interim Final Rule 12/00/95

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1410-91

Agency Contact: Sophia Cox, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AC37

1979. APPLICANT PROCESSING FOR FAMILY UNITY BENEFITS

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1103; 8 USC 1182; 8 USC 1186a; 8 USC 1324a; 8 USC 1252; 8 USC 1254; 8 USC 1255b; 8 USC 1362; 8 USC 1101; 8 CFR 2; 8 USC 1251; 8 USC 1252 note

CFR Citation: 8 CFR 242; 8 CFR 103; 8 CFR 264; 8 CFR 274a; 8 CFR 299

Legal Deadline: Final, Statutory, October 1, 1991.

Public Law 101-649 would make Section 301 effective this date.

Abstract: This provides for application for family unity benefits (voluntary departure and employment authorization) and sets procedures for adverse decisions. For those who are eligible, relief from being a deportable alien may be received where no such relief existed before.

Timetable:

Action	Date	FR Cite
NPRM	08/30/91	56 FR 42948
NPRM Comment Period End	09/30/91	
Interim Final Rule, Eff. 10-1-91; Com. Due 3-26-92	02/25/92	57 FR 6457
Interim Final Rule Correction	04/21/92	57 FR 14627
Final Action	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: INS No. 1414-91

Agency Contact: Jack Hartsoch, Adjudications Officer, Service Center Operations, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3040, Washington, DC 20536

Phone: 202 514-3156

RIN: 1115-AC39

1980. PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR PREFERENCE IMMIGRANT; ADJUSTMENT OF STATUS TO THAT OF A PERSON ADMITTED FOR PERMANENT RESIDENCE

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	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1419-91

Agency Contact: Rita Arthur, Adjudications 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

1981. CONDITIONAL BASIS OF 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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1423-91

Agency Contact: Rita Arthur, Adjudications 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

1982. 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. 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	10/00/95	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Additional Information: INS No. 1427-91

Agency Contact: Katharine A. Lorr, Adjudications 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

1983. 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.

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 regulation provides the procedures to be followed in determining release conditions for lawfully admitted aliens who are in deportation proceedings and who have been convicted of aggravated felonies as defined in section 101(a)(43) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule Eff.	05/21/91	56 FR 23214
	5-21-91; Com. Due 6-20-91	
2nd Interim Final Rule	11/00/95	

Small Entities Affected: None

Government Levels Affected: State, Local, Federal

Additional Information: INS No. 1439-91

Agency Contact: Robert A. Jacobson, Director, Deportation Branch, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3008, Washington, DC 20536
Phone: 202 514-2865

RIN: 1115-AC60

1984. 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: These regulations implement provisions of the Immigration Act of 1990 (IMMACT), Pub. L. 101-649, as they relate to temporary alien workers seeking nonimmigrant classification and admission to the US under sections 101(a)(15)(H),(L),(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)	08/15/94	59 FR 41843
	Com. Due 10-14-94	
Final Action (INS 1653-94)	11/00/95	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Additional Information: INS No. 1653-94

Agency Contact: John Brown, Adjudications 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

1985. REGISTRATION AND FINGERPRINTING OF NONIMMIGRANTS DESIGNATED BY THE ATTORNEY GENERAL; REMOVAL OF CERTAIN REQUIREMENTS FOR NONIMMIGRANTS BEARING IRAQI AND KUWAITI TRAVEL DOCUMENTS

Priority: Other

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 1201; 8 USC 1201a; 8 USC 1301; 8 USC

DOJ—INS

Final Rule Stage

1302; 8 USC 1303; 8 USC 1304; 8 USC 1305

CFR Citation: 8 CFR 264

Legal Deadline: None

Abstract: INS No. 1606-93 provides for the removal of the requirement for the registration and fingerprinting of certain nonimmigrants bearing Iraqi and Kuwaiti travel documents who apply for admission to the United States. The rule also permits the Immigration and Naturalization Service, through the publication of a public notice in the Federal Register, to require the registration and fingerprinting of certain nonimmigrants.

This rule makes final an interim regulation which provides the Service with regulatory flexibility to respond swiftly to national security emergencies. It removes a requirement from the CFR and permits the Service to modify practice by Public Notice.

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
Final Action (INS No. 1606)	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1606-93

Agency Contact: Virginia Gorman, 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-AC83

1986. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE: INTERVIEW

Priority: 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: 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 will amend the interview requirement to allow the Service to waive the requirement where it is determined that an interview is not necessary. This action is necessary to ease 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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1373-92

Agency Contact: Gerald Casale, Adjudications 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

1987. F NONIMMIGRANTS REQUIREMENTS FOR ADMISSION, 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.

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 nonimmigrant students and F-2 dependants; and to make necessary technical changes regarding regulatory citations and immigration forms.

This regulation clarifies and streamlines existing policies and procedures affecting foreign students.

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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1458-92

Agency Contact: Maurice Berez, Adjudications Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AD16

1988. 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	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: INS No. 1512-92

Agency Contact: Larry Vogel, Financial Management, Management, Department of Justice, Immigration and Naturalization Service, 425 I Street

DOJ—INS

Final Rule Stage

NW., Room 4103, Washington, DC 20536
Phone: 202 514-3206
RIN: 1115-AD17

1989. 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.	05/27/93	58 FR 30699
	5-27-93; Com. Due	
	6-28-93	
2nd Interim Final Rule	10/19/95	60 FR 54027
2nd Interim Final Rule	10/19/95	
	Effective Date	
2nd Interim Final Rule	12/18/95	
	Comment Period	
	End	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1602-92

Agency Contact: Michael Straus, Adjudications 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

1990. ADJUSTMENT OF STATUS; CERTAIN NATIONALS OF THE PEOPLES REPUBLIC OF CHINA

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 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule Eff.	07/01/93	58 FR 35832
	7-1-93; Com. Due	
	8-2-93	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1607-93

Agency Contact: Rita A. Arthur, Adjudications 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

1991. PRIVILEGE OF COMMUNICATION

Priority: Other

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	03/29/95	
	Effective	
Interim Final Rule	05/30/95	
	Comment Period	
	End	
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1616-93

Agency Contact: Ira L. Frank, 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

1992. REVOCATION OF NATURALIZATION

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1103; 8 USC 1443

CFR Citation: 8 CFR 340

Legal Deadline: None

Abstract: This rule will standardize procedures to be followed by the Service when revoking naturalization, or reopening naturalization decisions. This rule will bring Service procedures into conformance with changes brought about by the Immigration Act of 1990.

The rule specifies the administrative process by which the Attorney General may reopen and reconsider applications for naturalization pursuant to section 340(h) of the Immigration and Nationality Act. The rule will conform applicable regulations to the statutory changes made by the Immigration Act of 1990. The rule also clarifies the procedures by which the Service recommends judicial revocation of naturalization pursuant to section 340(a).

Timetable:

Action	Date	FR Cite
NPRM Com. Due	9-07/28/94	59 FR 38381
	26-94	
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1634-93

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

RIN: 1115-AD54

DOJ—INS

Final Rule Stage

1993. 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	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1633-93

Agency Contact: Michael W. Straus, Adjudications 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

1994. 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.

Legal Authority: 8 USC 1101; 8 USC 1103; 8 CFR 2

CFR Citation: 8 CFR 299; 8 CFR 499

Legal Deadline: None

Abstract: This rule updates the listing of INS forms, including information related to current edition dates, OMB control numbers, stock numbers for forms available from the Superintendent of documents, and general information concerning the reproduction of forms by private parties. The rule provides a direct benefit to the public by establishing standards which allow for the electronic generation of immigration forms. This effort will provide an alternative means to manually completing various applications/petitions. It will also ensure that the INS officials are aware of the standards and acceptability of certain electronically reproduced forms.

Timetable:

Action	Date	FR Cite
Interim Final Rule Eff. 5-17-94; Com. Due 7-18-94	05/17/94	59 FR 25555
Final Action	11/00/95	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Additional Information: INS No. 1638-93

Agency Contact: Richard Sloan, Director, Policy Directives and Instructions Branch, Office of Policy and Planning, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 5307, Washington, DC 20536

Phone: 202 514-3048

RIN: 1115-AD58

1995. RULES AND PROCEDURES FOR ADJUDICATION OF APPLICATION FOR ASYLUM OR WITHHOLDING OF DEPORTATION AND EMPLOYMENT AUTHORIZATION

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.

Timetable:

Action	Date	FR Cite
Interim Rule (INS 1343) Eff. 10/09/91	10/01/95	56 FR 50810
Final Rule (INS 1343)	12/00/95	

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. 1651A-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

1996. TEMPORARY ALIEN WORKERS SEEKING H CLASSIFICATIONS FOR THE PURPOSE OF OBTAINING GRADUATE MEDICAL EDUCATION OR TRAINING

Priority: Routine and Frequent

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; 8 CFR 2

CFR Citation: 8 CFR 214

Legal Deadline: None

Abstract: The implementation of this regulation will preclude foreign medical graduates from taking medical residencies under the H-1B

DOJ—INS

Final Rule Stage

classification. Foreign medical graduates will be required to continue the past practice of utilizing the J-1 classification for this purpose. The implementation of this regulation will not preclude the admission of a nonimmigrant alien.

The rule also modifies the eligibility standards for foreign medical graduates and clarifies for businesses and the general public the requirements for their classification and admission.

Timetable:

Action	Date	FR Cite
NPRM Com. Due 9-12-94	07/14/94	59 FR 35866
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1654-94.

Agency Contact: John W. Brown, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-3240

RIN: 1115-AD66

1997. REQUESTS FOR ADDITIONAL EVIDENCE TO SUPPORT IMMIGRANT VISA PETITIONS

Priority: Other

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	12/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1659-94

Agency Contact: Maurice Berez, Adjudication Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AD70

1998. REORGANIZATION OF THE IMMIGRATION AND NATURALIZATION SERVICE

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: 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; 8 CFR 2

CFR Citation: 8 CFR 100

Legal Deadline: None

Abstract: This regulation revises the existing organizational structure within the Immigration and Naturalization Service as defined in section 100.4.

Timetable:

Action	Date	FR Cite
Final Action (INS No. 1682)	10/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1682-94.

Cross reference INS No. 1691, RIN 1115-AD90.

Prior regulatory action INS No. 1501-94

Agency Contact: Janet Taylor, Program Analyst, Office of Policy and Planning, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6042, Washington, DC 20536

Phone: 202 514-1989

RIN: 1115-AD72

1999. 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.

Legal Authority: 8 USC 1103; 8 USC 1101; 8 USC 1182; 8 USC 1255; 8 USC 1255a; 8 USC 1201; 8 USC 1201a; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305; 8 USC 1324a; 8 CFR 2; 8 USC 1356

CFR Citation: 8 CFR 103; 8 CFR 245; 8 CFR 264; 8 CFR 274a; 8 CFR 245a

Legal Deadline: None

Abstract: This rule conveys changes in filing procedures for certain petitions or applications for immigration benefits under the direct mail program. Filing will be done directly with the service centers rather than with the district offices thereby facilitating more expeditious processing of applications and/or petitions. (INS 1660-94)

Timetable:

Action	Date	FR Cite
Interim Final Rule No. 1660 Direct Mail Prog. Expansion Eff. 7-1-94; Com. Due 8-30-94	07/01/94	59 FR 33903
Final Rule INS No. 1660 Direct Mail Prog. Expansion	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1660-94 Expansion of the Direct Mail Program

Agency Contact: Maurice Berez, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AD73

2000. 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 amends 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule Eff.	10/07/94	59 FR 51101
10/07/94 Com. due		
12/06/94		
Final Action	12/00/95	

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, Adjudications 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

2001. CERTIFICATION OF DESIGNATED OUTSIDE ENTITIES TO TAKE FINGERPRINTS

Priority: Other Significant

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1253 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356

CFR Citation: 8 CFR 103

Legal Deadline: None

Abstract: This regulation would certify designated outside entities to take fingerprints of applicants for immigration benefits. The regulation would require the designated outside entities to receive training and to verify the identity of the applicants. The certification process would place the outside entities under INS oversight and protect the integrity of the fingerprinting process.

This rule will improve the integrity of the fingerprint collection system and relieve resources strains on the Service.

Timetable:

Action	Date	FR Cite
NPRM	05/15/95	60 FR 25856
NPRM Comment	07/14/95	60 FR 25856
Period End		
Final Action	10/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS 1666-94

Agency Contact: Pearl Chang, Adjudication Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-3240

RIN: 1115-AD75

2002. WAIVER OF CERTAIN TYPES OF VISAS UNFORESEEN EMERGENCY

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 CFR 2

CFR Citation: 8 CFR 212

Legal Deadline: None

Abstract: This rule proposes to amend the Immigration and Naturalization Service (Service) regulations which permit district directors in individual cases, to waive a nonimmigrant visa or passport requirement, under section 212(d)(4)(A) of the Immigration and Nationality Act (Act), if they are satisfied that a nonimmigrant alien is unable to present these documents because of an unforeseen emergency. The rule will clarify that carriers are liable for fines imposed under section 273(a) of the Act for bringing nonimmigrants to the United States who do not have a valid passport, nonimmigrant visa, or border crossing identification card, even if a waiver of these documents is granted by the district director at the time of entry into the United States. This rule is necessary to conform to the statutory requirement that a fine be imposed when a nonimmigrant is transported to the United States without the proper documentation.

The rule will clarify that carriers are liable for fines imposed under section 273(a) of the Act for bringing

nonimmigrants to the United States who do not have the proper documentation even if a waiver of these documents is granted by the district director.

Timetable:

Action	Date	FR Cite
NPRM	04/14/95	60 FR 19001
NPRM Comment	06/13/95	
Period End		
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1669-94

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-AD77

2003. FEES FOR PARTICIPATION IN DEDICATED COMMUTER LANES AT SELECTED PORTS OF ENTRY; COLLECTION OF FEES UNDER THE DEDICATED COMMUTER LANE PROGRAM; PORT PASSENGER ACCELERATED SERVICE SYSTEM, PORTPASS

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: This rule allows 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 rule

DOJ—INS

Final Rule Stage

clarifies the fee requirements for use of the DCL.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/29/95	60 FR 50386
Interim Final Rule	11/28/95	
Comment Period End		
Final Action	07/00/96	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Additional Information: INS No. 1675-94

Agency Contact: Robert Mocny, Senior Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536
Phone: 202 514-3275

RIN: 1115-AD82

2004. 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
Interim Final Rule Eff.	10/07/94	59 FR 51091
10-1-94; Com. Due		
12-6-94		
Interim Final Rule	10/20/94	59 FR 53020
Correction		
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1676-94

Agency Contact: Rita Arthur, Adjudications 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

2005. REVOCATIONS AND DESIGNATION OF INTERNATIONAL AIRPORT STATUS FOR PORTS OF ENTRY FOR ALIENS ARRIVING BY AIRCRAFT

Priority: Other

Legal Authority: 8 USC 1103; 8 CFR 2

CFR Citation: 8 CFR 100

Legal Deadline: None

Abstract: This rule removes Ranier, MN and Eagle Pass, TX from the port of entry lists for aliens arriving by vessel, land transportation or by aircraft. Future Minnesota transactions will be handled at either Sky Harbor Airport or Crane Lake Seaplane Base and future Texas transactions will be handled at Maverick County Airport. This rule will have a minimal impact on the public and merely transfers workload from some location to other locations.

Timetable:

Action	Date	FR Cite
NPRM	03/27/95	60 FR 15703
NPRM Comment	05/26/95	60 FR 15703
Period End		
Final Rule	10/00/95	

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Additional Information: INS NO. 1677-94

Agency Contact: Andrea Sickler, Senior Inspector, Examinations,

Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536
Phone: 202 514-2694

RIN: 1115-AD84

2006. 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 is necessary to recover the costs of the processing of requests for immigration benefits on Form I-854 and results from an analysis of the cost of these services. The fee is needed to comply with specific Federal immigration laws and Federal user fee statute and regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/25/95	60 FR 44260
(INS No. 1683-94)		
Interim Final Rule	10/05/95	60 FR 52068
Correction		
Interim Final Rule	10/05/95	60 FR 52248
Correction		
NPRM (INS No.	10/00/95	
1728-95)		

DOJ—INS

Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Comment Period End (INS No. 1683-94)	12/04/95	
Final Rule (INS No. 1683-94)	04/00/96	

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: INS No. 1683-94 INS No. 1728-95

Agency Contact: Katherine Lorr, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536
Phone: 202 616-7446

RIN: 1115-AD86

2007. ESTABLISHMENT OF FORM I-551, ALIEN REGISTRATION RECEIPT CARD, AS THE EXCLUSIVE FORM OF REGISTRATION FOR LAWFUL PERMANENT RESIDENTS

Priority: Other

Legal Authority: 8 USC 1103; 8 USC 1201; 8 USC 1201a; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305

CFR Citation: 8 CFR 264

Legal Deadline: None

Abstract: The rule would remove the obsolete Form I-151, Alien Registration Receipt Card, from the listing of forms recognized by the Service as evidence of registration for lawful permanent residence in 8 CFR 264.1. (A previous final rule, published on 9/20/93 at 58 FR 48775, had already removed I-151 from the list of prescribed Service forms in 8 CFR 299.) By removing from the regulations the last reference to Form I-151 as a valid document, this rule would complete the Services declared policy of establishing the current Form I-551 as the exclusive form of registration for lawful permanent residents.

Timetable:

Action	Date	FR Cite
NPRM	05/24/95	60 FR 27441
NPRM Comment Period End	07/24/95	
Final Action	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1686-95

Agency Contact: Gerald Casale, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20356

Phone: 202 514-5014

RIN: 1115-AD87

2008. 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
Interim Final Rule	05/18/95	60 FR 26676

Action	Date	FR Cite
Interim Final Rule Effective 05/18/95; Comm. due 07/17/95	05/18/95	60 FR 26676
Interim Final Rule Correction to Interim Rule	05/24/95	60 FR 27598
Final Rule	11/00/95	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: INS No. 1688-95

Agency Contact: Sophia Cox, Senior Immigration Examiner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AD89

2009. IMMIGRANT PETITIONS; CHILDREN OF WIDOWS AND WIDOWERS

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 provides procedures, criteria, and clarifying language for according immigrant status to children of widows or widowers who were not previously eligible for immigration benefits as derivative immediate relatives. It expands the definition of immediate relative to include children of an alien who qualifies as a widow or widower. Before the regulatory change alien children of a widow or widower were not included in the classification of immediate relative to accompany or follow-to-join a principal alien. This rule expands the definition of immediate relative to include children of an alien who qualifies as a widow or widower.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/31/95	60 FR 38947
NPRM Comment Period End	09/29/95	60 FR 38947
Final Rule	01/00/96	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: INS No. 1690-95

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

RIN: 1115-AD91

2010. 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

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

CFR Citation: 8 CFR 212

Legal Deadline: None

Abstract: The rule makes modifications to existing INS regulations to reflect changes that occurred due to the disintegration of the former Union of Soviet Socialist Republics, the dissolution of the People's Republic of Czechoslovakia, the union of the German Democratic Republic and the Federal Republic of Germany, and the name change of the Democratic Republic of Vietnam to the Socialist Republic of Vietnam. The Union of Soviet Socialist Republics is replaced by Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. Czechoslovakia is replaced with The Czech Republic and Slovakia. The Mongolian People's Republic is replaced by Mongolia. The Democratic Republic of Vietnam is replaced by the Socialist Republic of Vietnam. This rule is necessary to update 8 CFR sections 212.1 (f)(2) and (3) to reflect the current political situation of each country and should not have any adverse impact.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1696-95

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

RIN: 1115-AD96

2011. 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	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: INS No. 1698-95

Agency Contact: Una Brien, 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

2012. FORMER CITIZENS OF THE UNITED STATES REGAINING UNITED STATES CITIZENSHIP

Priority: 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: 8 USC 1103; 8 USC 1435; 8 USC 1443; 8 USC 1101 note; PL 103-416

CFR Citation: 8 CFR 324

Legal Deadline: Final, Statutory, March 1, 1995.
PL 103-416, section 108

Abstract: This rule allows an individual who lost his or her United States Citizenship, because of their failure to meet the retention requirements of the law, as they existed prior to repeal in 1978, to apply to the Attorney General to regain such citizenship.

Compromise was reached with the Department of State (DOS) through a memo of understanding rather than a formal rule. Instructions will go to INS field officers in the form of wires and policy statements. This compromise will eliminate the need for an addition in 8 CFR.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1701-95

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

RIN: 1115-AE00

2013. EXPANDING WAIVER OF THE GOVERNMENT KNOWLEDGE, U.S. HISTORY, AND ENGLISH LANGUAGE REQUIREMENTS FOR NATURALIZATION FOR CERTAIN PERSONS OVER 65 WHO HAVE RESIDED IN THE U.S. AT LEAST 20 YEARS

Priority: Other Significant

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 persons over 65 years of age, who have been lawful permanent residents residing in the United States at least 20 years, from US history and government knowledge testing. The exemption would be the same as that which currently exists for the English language requirement. The rule would also exempt those persons unable to comply there with from all testing due to a physical or developmental disability or mental impairment. Provisions of this proposed rule have been incorporated into a policy statement expected to be released before the end of the calendar year. This agency decision has eliminated the need for an addition to 8 CFR.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/95	

Small Entities Affected: None

Government Levels Affected: State, Federal

Additional Information: INS No. 1702-95

Agency Contact: William Tollifson, Adjudications 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

2014. SELF-PETITIONING FOR BATTERED AND 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	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1705-95

Agency Contact: Rita Arthur, Senior Adjudications 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

2015. NATIONALITY AND NATURALIZATION

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; 8 USC 1435; 8 USC 1101 note; 8 USC 1409(c); 8 USC 1444; 8 USC 1452; 8 USC 1455; 8 CFR 2; PL 103-416

CFR Citation: 8 CFR 301; 8 CFR 322; 8 CFR 324; 8 CFR 338; 8 CFR 340; 8 CFR 341; 8 CFR 351; 8 CFR 358; 8 CFR 361

Legal Deadline: Other, Statutory, October 25, 1994.
PL 103-416

Abstract: This regulation implements provisions of the Immigration and Nationality Technical Amendments Act of 1994.

Various issues addressed in the rulemaking include: procedures for obtaining citizenship for children born abroad to one or more US citizens; requirements and procedures for regaining citizenship; revision to Naturalization Certificate wording to reflect that naturalization eligibility no longer requires an intent to reside in the US permanently; changes in terminology relating to expatriation; administrative and judicial determinations relating to the loss of citizenship; and condition under which US Passports and Consular Reports of Birth may be cancelled.

This regulation will enable U.S. citizen parents with children born abroad to transmit expeditious naturalization to their children through the child's U.S. citizen grandparent. Includes benefits for natural born children and adopted and orphaned children.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1712-95

Agency Contact: William Tollifson, Adjudications 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

2016. NOTICE OF POLICY REGARDING CONTRACTS BETWEEN THE IMMIGRATION AND NATURALIZATION SERVICE AND TRANSPORTATION LINES

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

CFR Citation: 8 CFR 238

Legal Deadline: None

Abstract: To encourage the payment of fines, liquidated damages, and user

fees, this notice informs interested parties that the INS intends to evaluate a transportation line's fines, user fees, and liquidated damages payment record before entering into any agreements with the transportation line. INS will also evaluate existing transportation line agreements for possible cancellation, if it is determined that fines, liquidated damages, or user fees imposed against or owed by the transportation line are not paid to the INS in a timely manner. This action is necessary to ensure timely payment of a transportation line's fines, liquidated damages, and user fees. In both cases the INS will notify the affected carrier to satisfy its debts to the INS. Delinquent fines have made this policy necessary. The National Fines Office currently shows that carrier fines which have been delinquent over 30 days amount to over \$5 million dollars.

Timetable:

Action	Date	FR Cite
Notice of Policy with 30 day comment period	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1708-95

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-AE08

2017. NOTICE OF POLICY REGARDING FINES IMPOSED ON CARRIERS WHO BRING ALIENS TO THE UNITED STATES WITHOUT PROPER DOCUMENTATION

Priority: Substantive, Nonsignificant

Legal Authority: 8 USC 1103

CFR Citation: 8 CFR 273

Legal Deadline: None

Abstract: The INS informs interested parties of its intention to modify its fines policy regarding fines imposed on carriers for the transportation of aliens in possession of fraudulent documentation. The INS intends to fine carriers which bring aliens in possession of fraudulent documents

where the fraud is reasonably apparent. The INS also affirms its policy with regard to other issues which include: fines and Transit Without Visa (TWOV) passengers arriving with cancelled visas, used "one entry" visas, or visas issued prior to the addition of accompanying children. This policy was first stated in an INS letter to the Air Transport Association dated March 12, 1992.

Ports-of-Entry will recommend fines against those carriers that transport aliens to the United States who are in possession of reasonably apparent fraudulent documents. This will increase the amount of fines for certain carriers that transport these fraudulently documented aliens and encourage all carriers to improve their screening procedures of passenger documentation prior to their embarkation for the United States.

Timetable:

Action	Date	FR Cite
Notice of Policy with 30 day comment period	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1709-95

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-AE09

2018. NOTICE TO CARRIERS OF THE INS POLICY REQUESTING THE U.S. CUSTOMS SERVICE (USCS) TO DENY OR REVOKE PERMISSION TO UNLADE PASSENGERS FOR THOSE THAT ARE DELINQUENT IN INS FINES LIQUIDATED DAMAGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 49 USC app 1509

CFR Citation: 19 CFR 122

Legal Deadline: None

Abstract: To assist in the collection of monies owed by carriers, the INS will request that the US Customs Service

(USCS) consider denying or revoking permits to unlade passengers for certain carriers that are delinquent in their fines, liquidated damages, and user fee payments. According to USCS regulations (19 CFR 122) USCS District Directors may deny or revoke a permit/license if specific reasons exist for denial or revocation. A denial to land by the USCS would remain in place until satisfactory arrangements were made with the INS for payment of delinquent fines, liquidated damages, or user fees.

Carriers that are delinquent in their fines, liquidated damages, or user fees, may have their permits to unlade passengers in the United States denied or revoked by the USCS upon request by the INS.

Timetable:

Action	Date	FR Cite
Notice of Policy with 30 day comment period	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

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-AE10

2019. 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

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 1221; 8 USC 1228; 8 USC 1229

CFR Citation: 8 CFR 231

Legal Deadline: None

Abstract: This rule makes modifications to the current regulations at 8 CFR 231.1 regarding fines against carriers for violation of section 231(a) of the Act regarding the submission of

properly completed arrival/departure manifests, Forms I-94. This rule modifies the criteria the INS will use to fine carriers under section 231 of the Act.

New criteria put forth in this policy notice will clarify the requirements regarding the carrier's submission of properly completed arrival/departure manifest Forms I-94, allowing the INS and carriers to improve cooperation to achieve rapid facilitation of the traveling public.

Timetable:

Action	Date	FR Cite
Notice of Policy with 30 day comment period	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1711-95

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-AE11

2020. ORDER TO SHOW CAUSE AND NOTICE OF HEARING: APPREHENSION, CUSTODY, AND DETENTION

Priority: Other

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 adds the position of Supervisory Special Agent (Institutional Hearing Program designated site supervisor) to the list of Immigration and Naturalization officials authorized to issue orders to show cause and warrants of arrest.

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: None

Additional Information: INS No. 1716-95

Agency Contact: Ira L. Frank, Senior Special Agent, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000, Washington, DC 20536

Phone: 202 514-0747

RIN: 1115-AE13

2021. "MASTER EXHIBITS" CURRENTLY AVAILABLE

Priority: Other

Legal Authority: 8 USC 1103; 8 USC 1158; 8 USC 1226; 8 USC 1252; 8 USC 1282; 31 USC 9701; 8 CFR 2

CFR Citation: 8 CFR 208

Legal Deadline: None

Abstract: This notice provides the public with a list of the "Master Exhibits" currently available regarding country conditions in refugee-producing countries. These documents have been developed by non-government organizations/attorneys for use as reference materials for asylum applicants/preparers for their cases. The purpose of this notice is to inform the public of the country materials available and procedures for obtaining the materials.

Timetable:

Action	Date	FR Cite
Notice (to be published annually)	12/00/95	

Small Entities Affected: Organizations

Government Levels Affected: Federal

Additional Information: INS No. 1643-95

Additional contact: Loraine Eide

Agency Contact: John Evans, Director, Resource Information Center, International Affairs, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., ULLICO, 3rd Floor, Washington, DC 20536
Phone: 202 633-1040

RIN: 1115-AE14

2022. SUBPOENA ISSUANCE AUTHORITY

Priority: Other

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 USC 2

CFR Citation: 8 CFR 287

Legal Deadline: None

Abstract: This rule adds the position of Assistant Chief Patrol Agent to the list of Immigration and Naturalization Officers authorized to issue and designate service of subpoenas.

Timetable:

Action	Date	FR Cite
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

Additional Information: INS No. 1717-95

Agency Contact: Alan R. Conroy, Assistant Chief, Border Patrol, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7232, Washington, DC 20536
Phone: 202 514-3073

RIN: 1115-AE15

2023. • DISCLOSURE OF INFORMATION

Priority: Other

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
Interim Final Rule	11/00/95	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: INS No. 1732-95

Agency Contact: Helen deThomas, Adjudications Examiner, Examinations,

DOJ—INS

Final Rule Stage

Department of Justice, Immigration and Naturalization Service, 425 I Street

NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

RIN: 1115-AE17

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

Long-Term Actions

2024. 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: Susan Franklin
Phone: 202 616-2737

RIN: 1115-AA95

2025. REVISION OF IMMEDIATE AND CONTINUOUS TRANSIT AGREEMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 8 CFR 212; 8 CFR 214; 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

2026. UNAVAILABILITY TO TWOV TO CITIZENS OF THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Priority: Other

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
Final Rule (INS 1397R)	00/00/00	
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Robert Hutnick
Phone: 202 514-2694

RIN: 1115-AC87

2027. NONIMMIGRANT CLASSES; B VISITOR FOR BUSINESS OR PLEASURE

Priority: Substantive, Nonsignificant

CFR Citation: 8 CFR 214; 8 CFR 274a

Timetable:

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

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Helen V. deThomas
Phone: 202 514-5014

RIN: 1115-AC89

2028. RESUBMISSION OF REJECTED APPLICATIONS FOR LEGALIZATION

Priority: Other

CFR Citation: 8 CFR 245a

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Kathy Craig
Phone: 202 514-5014

RIN: 1115-AD49

2029. ADMINISTRATIVE APPLICATION FOR SUSPENSION OF DEPORTATION PROCEDURE BEFORE A DISTRICT DIRECTOR

Priority: Substantive, Nonsignificant

CFR Citation: 8 CFR 244

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Robert Finkelstein
Phone: 202 514-3197

RIN: 1115-AD78

2030. BORDER SERVICES USER FEE

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 286

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Michael Jaromin
Phone: 202 514-3019

RIN: 1115-AE01

2031. • 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.

Timetable: Next Action Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Additional Information: INS No. 1737-95

Agency Contact: Ira Frank, 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

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

Completed Actions

2032. ADJUSTMENT OF STATUS TO THAT OF PERSONS ADMITTED FOR LAWFUL TEMPORARY OR PERMANENT RESIDENT STATUS UNDER SECTION 245A OF THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Priority: Other Significant
CFR Citation: 8 CFR 245a
Completed:

Reason	Date	FR Cite
Final Action	05/01/95	60 FR 21039
Final Action Effective	05/31/95	

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: David Dixon
 Phone: 202 514-2895
RIN: 1115-AC18

2033. BIENNIAL INS USER FEE REVIEW

Priority: Routine and Frequent
CFR Citation: 8 CFR 286
Completed:

Reason	Date	FR Cite
Final Action	01/13/95	60 FR 3107
Comments due	03/14/95; no	
comments received.		

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Mike Natchuras
 Phone: 202 616-2754
RIN: 1115-AD06

2034. CHARGING OF FEES FOR SERVICES AT LAND BORDER PORTS-OF-ENTRY

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; 8 CFR 217; 8 CFR 235; 8 CFR 264; 8 CFR 286; 8 CFR 212; 8 CFR 2

Completed:

Reason	Date	FR Cite
Final Action	08/07/95	60 FR 40064
Final Action Effective	10/09/95	

Small Entities Affected: None
Government Levels Affected: Federal

Agency Contact: Marie deSoto
 Phone: 202 514-2694
RIN: 1115-AD30

2035. AUTOMATIC REVOCATION OF APPROVAL OF PETITIONS

Priority: Other
CFR Citation: 8 CFR 205
Completed:

Reason	Date	FR Cite
Withdrawn by	07/10/95	
program office		

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Gerard Casale
 Phone: 202 514-5014
RIN: 1115-AD56

2036. DENIAL OF EMPLOYMENT AUTHORIZATION TO ALIENS PLACED IN DEPORTATION OR EXCLUSION PROCEEDINGS AS A RESULT OF ENCOUNTER WHILE ENGAGED IN UNAUTHORIZED EMPLOYMENT

Priority: Other Significant
CFR Citation: 8 CFR 274a
Completed:

Reason	Date	FR Cite
Withdrawn by	02/01/95	
program office		

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Brian Vaillancourt
 Phone: 202 514-1189
RIN: 1115-AD65

2037. MAILING ADDRESSES, VARIOUS APPLICATIONS

Priority: Other
CFR Citation: 8 CFR 103
Completed:

Reason	Date	FR Cite
Withdrawn by	02/01/95	
program office		

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Raymond Jaroneski
 Phone: 202 514-5014
RIN: 1115-AD67

2038. ADMINISTRATIVE DEPORTATION PROCEDURES FOR NON-LAWFUL PERMANENT RESIDENTS WHO ARE CONVICTED OF AN AGGRAVATED FELONY

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
Final Action	08/24/95	60 FR 43954

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Leonard Loveless
 Phone: 202 514-2865
RIN: 1115-AD76

2039. IMMIGRANT PETITIONS; ALIENS IN RELIGIOUS OCCUPATIONS

Priority: Other
CFR Citation: 8 CFR 209
Completed:

Reason	Date	FR Cite
Final Action	06/06/95	60 FR 29751
Comments due	06/27/94	
Final Action Effective	06/06/95	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Michael Straus
 Phone: 202 514-5014
RIN: 1115-AD79

2040. CONTRACTS WITH TRANSPORTATION LINES; SIGNATORY AUTHORITY

Priority: Routine and Frequent
CFR Citation: 8 CFR 238
Completed:

Reason	Date	FR Cite
Final Action	06/09/95	60 FR 30457
Final Action Effective	06/09/95	

Small Entities Affected: Businesses
Government Levels Affected: Federal
Agency Contact: Una Brien
 Phone: 202 514-2681
RIN: 1115-AD85

DOJ—INS

Completed Actions

2041. ORGANIZATIONAL STRUCTURE OF THE IMMIGRATION AND NATURALIZATION SERVICE

Priority: Other Significant
CFR Citation: 8 CFR 100; 8 CFR 103
Completed:

Reason	Date	FR Cite
Withdrawn - Substance consolidated into INS Nos. 1501 and 1684	07/05/95	

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Janet Taylor
 Phone: 202 514-1989
RIN: 1115-AD90

2042. ENROUTE INSPECTION TRAVEL EXPENSE; LIABILITY FOR CRUISE SHIPS

Priority: Other
CFR Citation: 8 CFR 235
Completed:

Reason	Date	FR Cite
Withdrawn by program office	07/06/95	

Small Entities Affected: Businesses
Government Levels Affected: Federal
Agency Contact: Rick Marks
 Phone: 202 514-3049
RIN: 1115-AD93

2043. NATURALIZATION PILOT PROJECT; AVAILABILITY OF FUNDS; SOLICITATION OF PROPOSALS

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: 0 CFR 00
Completed:

Reason	Date	FR Cite
Final Action - Applications due 06/05/95	04/26/95	60 FR 20507

Small Entities Affected: Businesses, Organizations
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: William Tollifson
 Phone: 202 514-5014
RIN: 1115-AE12

2044. CHANGE IN EMPLOYMENT AUTHORIZATION FILING PROCEDURES

Priority: Other
CFR Citation: 8 CFR 274a; 8 CFR 245a; 8 CFR 242; 8 CFR 240; 8 CFR 214; 8 CFR 210; 8 CFR 208; 8 CFR 103
Completed:

Reason	Date	FR Cite
Final Action	05/04/95	60 FR 21973
Final Action Effective	06/03/95	

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Jack Tabaka
 Phone: 202 514-5014
RIN: 1115-AE16

2045. PHILIPPINE VETERANS OF WORLD WAR II BASED UPON ACTIVE DUTY SERVICE IN THE UNITED STATES ARMED FORCES DURING SPECIFIED PERIODS OF HOSTILITIES

Priority: Other
Legal Authority: 8 USC 1103; 8 USC 1440; 8 USC 1443
CFR Citation: 8 CFR 329
Legal Deadline: None

Abstract: This final rule amends the date previously published in the Federal Register as the final date applications must be received by the Service in order to be considered applications for naturalization under section 405 of the Immigration and Naturalization Act of 1990. This rule is necessary to correct an oversight in the calculation of the filing deadline and to ensure that Philippine veterans of World War II who missed the originally published filing deadline are afforded the opportunity for naturalization under this provision.

Timetable:

Action	Date	FR Cite
Final Action - Correction to final rule published at 60 FR 6647	09/01/95	60 FR 45658

Small Entities Affected: None

Government Levels Affected: Federal
Additional Information: INS No. 1404-95
 Cross Reference former RIN 1115-AC34
Agency Contact: William Tollifson, Adjudications Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536
 Phone: 202 514-5014
RIN: 1115-AE20

2046. ADDING DAYTONA, FLORIDA AND MEMPHIS, TENNESSEE TO THE LIST OF PORTS OF ENTRY ACCEPTING APPLICATIONS FOR DIRECT TRANSIT WITHOUT VISA

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
CFR Citation: 8 CFR 214

Legal Deadline: None
Abstract: This rule amends the Immigration and Naturalization Service (the Service) regulations by adding Daytona, Florida, and Memphis, Tennessee, to the lists of ports of entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, an alien must make application for admission to the United States for direct transit without visa. This change is necessary to accommodate the increase in international commerce serving Daytona, Florida, and Memphis, Tennessee.

Timetable:

Action	Date	FR Cite
Final Action	09/22/95	60 FR 49195
Final Action Effective	09/22/95	

Small Entities Affected: Businesses
Government Levels Affected: Federal
Additional Information: INS No. 1727-95
Agency Contact: Robert F. Hutnick, Assistant Chief, Inspector, Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 7228, Washington, DC 20536
 Phone: 202 616-7499
RIN: 1115-AE22

DEPARTMENT OF JUSTICE (DOJ)

Proposed Rule Stage

Legal Activities (LA)

2047. CRIMINAL FINES ENFORCEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 3013(b); 18 USC 3613; 18 USC 3663(h); 26 USC 7805

CFR Citation: 28 CFR 72

Legal Deadline: None

Abstract: The Sentencing Reform Act of 1984 makes certain tax collection provisions of the Internal Revenue Code applicable to the collection of criminal fines. This rule is intended to facilitate the collection of criminal fines by modifying the tax collection provision to better reflect the difference in the nature of tax and fine liabilities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Lynne Solien, Financial Litigation Staff, Executive Office for U.S. Attorneys, Department of Justice, Room 8500, Bicentennial Bldg., 600 E Street NW., Washington, DC 20530
Phone: 202 616-6444

RIN: 1105-AA16

2048. VIOLENT CRIME AND DRUG EMERGENCY AREAS

Priority: Other Significant

Legal Authority: PL 103-322, sec 90107 Violent Crime Cntl & Law Enf Act of 1994

CFR Citation: 28 CFR 92 (New)

Legal Deadline: NPRM, Statutory, January 11, 1995.

Abstract: This rule provides consolidated procedures for requests for designations of violent crime or drug emergency areas and appropriate Federal Assistance under section 90107 of the Violent Crime Control and Law Enforcement Act of 1994. In general, section 90107 provides that the chief executive of a State or local government may make a written request to the Attorney General that the President designate a state or part of a state to be a "violent crime or drug emergency area." This rule specifies the

information to be submitted in support of such a request, sets forth the procedures to be followed by the requesters, and provides the process and criteria for Attorney General review of such requests. Section 90107 also provides the President may (1) direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted it under Federal law in support of State or local assistance efforts and (2) provide technical and advisory assistance, including communications support and law enforcement-related intelligence information.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Robert Hinchman, Attorney-Advisor, Department of Justice, Office of Policy Development, Room 4256, 10th Street & Constitution Avenue NW., Washington, DC 20530
Phone: 202 514-8059
Fax: 202 514-8639

RIN: 1105-AA29

2049. 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	11/00/95	
NPRM Comment Period End	01/00/96	

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

2050. MOTOR VEHICLE THEFT PREVENTION PROGRAM

Priority: Other Significant

Legal Authority: PL 103-322, sec 220001, Violent Crime Cntl & Law Enf Act, 1994

CFR Citation: Not yet determined

Legal Deadline: NPRM, Statutory, March 13, 1995.

Abstract: This rule develops, in cooperation with the States, a national voluntary motor vehicle theft prevention program under which the owner of a motor vehicle may voluntarily sign a consent form with a participating State or locality in which the motor vehicle owner states that the vehicle is not normally operated under certain specified conditions. Under this program, the owner agrees to display program decals or devices on the owner's vehicle and to permit law enforcement officials in any State to stop the motor vehicle and take reasonable steps to determine whether the vehicle is being operated by or with the permission of the owner, if the vehicle is being operated under the specified conditions.

Participating States and localities will authorize law enforcement officials in the State or locality to stop motor vehicles displaying program decals or devices under the specified conditions and take reasonable steps to determine

whether the vehicle is being operated by or with the permission of the owner. This rule establishes the specified conditions under which stops may be authorized by owners who state that they do not ordinarily operate their vehicles under such conditions: (1) driving a vehicle between 1:00 a.m. and 5:00 a.m.; and (2) driving a vehicle across a United States land border or into a United States port.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment	01/00/96	
Period End		

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Robert Hinchman, Attorney-Advisor, Department of Justice, Office of Policy Development, Room 4256, 10th & Constitution Ave. NW., Washington, DC 20530
Phone: 202 514-8059
Fax: 202 514-8639

RIN: 1105-AA34

2051. • USE AND EXAMINATION OF MATERIALS SUBMITTED PURSUANT TO THE ANTITRUST CIVIL PROCESS ACT

Priority: 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: 15 USC 1313

CFR Citation: 28 CFR 49

Legal Deadline: None

Abstract: This rule revises the existing Department of Justice regulation concerning the use and examination of materials submitted pursuant to the Antitrust Civil Process Act to add references to "answers to interrogatories" and "transcripts of oral testimony" as types of materials subject to the provisions of the Act, and to add references to "agents" of the Department having the authority to use and copy such materials. These changes are necessary to conform the language of the regulation to the current provisions of the Act. The rule also makes minor changes to the spelling

and capitalization of certain words used in the regulations for purposes of conformity with the Act and internal consistency.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment	01/00/96	
Period End		

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Howard M. Blumenthal, Assistant Chief, Legal Policy Section, Department of Justice, Antitrust Division, Main Bldg., Room 3121, 10th & Constitution Ave. NW., Washington, DC 20530
Phone: 202 514-2513
Fax: 202 514-9082

RIN: 1105-AA37

2052. • DESIGNATION OF AGENCIES TO RECEIVE AND INVESTIGATE REPORTS REQUIRED UNDER THE VICTIMS OF CHILD ABUSE ACT

Priority: Other

Legal Authority: 42 USC 13031

CFR Citation: 28 CFR 81

Legal Deadline: None

Abstract: Title 42 U.S. Code section 13031 requires persons engaged in certain specified professions and activities on federal lands or facilities to report incidents of child abuse to the appropriate Federal, state, or local agency designed by the Attorney General. Title 42 USC section 13031(d) requires the Attorney General to designate an agency to receive and investigate certain reports of child abuse. For Federal lands, facilities, or federally contracted facilities where no agency qualifies for designation, the Federal Bureau of Investigation is designated as the agency to receive and investigate reports of child abuse made pursuant to 42 USC section 13031.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment	01/00/96	
Period End		

Small Entities Affected: None

Government Levels Affected: Tribal, Federal

Agency Contact: George C. Burgasser, Acting Chief, Child Exploitation and

Obscenity Section, Department of Justice, Criminal Division, 1001 G St., NW., Suite 310, Washington, DC 20530
Phone: 202 514-5780
Fax: 202 514-1793

RIN: 1105-AA38

2053. • IMPLEMENTATION OF 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 notice of proposed rulemaking setting forth the Cost Recovery Regulations implementing the Communications Assistance for Law Enforcement Act (CALEA), which became effective October 25, 1994. The proposed Cost Recovery Regulations set forth the procedures by which telecommunications carriers may be reimbursed for all reasonable costs directly associated with the modifications performed by carriers in connection with equipment, facilities, and services installed or deployed on or before January 1, 1995.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment	01/00/96	
Period End		

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 22021
Phone: 703 814-4900

RIN: 1105-AA39

2054. • PROCEDURES FOR RECEIPT AND CONSIDERATION OF WRITTEN COMMENTS SUBMITTED UNDER SUBSECTION 2(B) OF THE ANTITRUST PROCEDURES AND PENALTIES ACT

Priority: Other

Reinventing Government: This rulemaking is part of the Reinventing

DOJ—LA

Proposed Rule Stage

Government effort. It will eliminate existing text in the CFR.

Legal Authority: 5 USC 301; 15 USC 16(d); 28 USC 509; 28 USC 510

CFR Citation: 28 CFR 50.13

Legal Deadline: None

Abstract: This rule eliminates an unnecessary provision establishing general procedures for the receipt and consideration of comments submitted pursuant to subsection 2(b) of the Antitrust Procedures and Penalties Act, which requires the Department of Justice to seek public comments concerning proposed settlements of civil lawsuits brought by the United States under the antitrust laws. The specific procedures for submitting comments to the Department concerning proposed settlements are publicly communicated each time such comments are solicited, making the promulgation of general procedures unnecessary. It is also unnecessary to establish, by regulation, internal Department procedures for the consideration of such comments once received.

Timetable:

Action	Date	FR Cite
NPRM	01/00/96	
NPRM Comment Period End	03/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Howard M. Blumenthal, Assistant Chief, Legal Policy Section, Department of Justice, Antitrust Division, Main Bldg., Room 3121, 10th & Constitution Ave. NW., Washington, DC 20530
Phone: 202 514-2513
Fax: 202 514-9082

RIN: 1105-AA40

2055. • FALSE CLAIMS AMENDMENTS ACT OF 1986—CIVIL INVESTIGATIVE DEMANDS

Priority: 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	11/00/95	
NPRM Comment Period End	01/00/96	

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

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Legal Activities (LA)

2056. 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

Action	Date	FR Cite
NPRM Comment Period End	07/29/94	59 FR 33457
Final Action	11/00/95	

Small Entities Affected: None

Government Levels Affected: Federal

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 Director, Asset Forfeiture Office, Department of Justice, Criminal Division, 1400 New York Avenue, Washington, DC 20530
Phone: 202 514-5522

RIN: 1105-AA23

DOJ—LA

Final Rule Stage

2057. 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
NPRM Comment Period End	10/18/93	58 FR 48472
Final Action	11/00/95	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Esther I. Estry, 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**2058. 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.**Legal Authority:** 28 USC 586(a)(3)(A)(i)**CFR Citation:** 28 CFR 58**Legal Deadline:** None

Abstract: United States Trustees must comply with guidelines adopted by the Executive Office for United States Trustees in reviewing applications filed by case trustees and professionals under section 330 of title 11, United States Code. 28 USC 586(a)(3)(A)(i). This rule establishes the procedural guidelines pursuant to 28 USC 586(a)(3)(A)(i).

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/95	

Small Entities Affected: None**Government Levels Affected:** None**Agency Contact:** Martha L. Davis, General Counsel, Department of Justice, Executive Office for United States Trustees, 901 E Street NW., Washington, DC 20530
Phone: 202 307-1399**RIN:** 1105-AA33**2059. JACOB WETTERLING CRIMES AGAINST CHILDREN AND SEXUALLY VIOLENT OFFENDER GUIDELINES****Priority:** Other Significant**Legal Authority:** PL 103-322 sec 170101, Violent Crime Cntl & Law Enf Act, 1994**CFR Citation:** None**Legal Deadline:** None

Abstract: Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 encourages States to establish registration systems for persons who are: (1) convicted of a criminal offense against a victim who is a minor; (2) convicted of a sexually violent offense; or (3) found to be a sexually violent predator. The establishment of such a system by a State is a condition for eligibility for

full funding under section 506 of the Omnibus Crime and Safe Streets Act of 1968 (42 U.S.C. 3756). Section 170101(a)(1) directs the Attorney General to establish guidelines for the States to follow in developing conforming registration systems. These guidelines fulfill the Attorney General's responsibility under that section.

Timetable:

Action	Date	FR Cite
NPRM	04/12/95	60 FR 18613
NPRM Comment Period End	07/11/95	60 FR 18613
Comment period extended to 10/30/95.	09/14/95	60 FR 47760
Final Action	11/00/95	

Small Entities Affected: None**Government Levels Affected:** State, Local, Federal**Agency Contact:** David J. Karp, Senior Counsel, Department of Justice, Office of Policy Development, Room 4503, Main Building, Washington, DC 20530
Phone: 202 514-3273
Fax: 202 514-8639**RIN:** 1105-AA36**2060. • RECOMMENDATIONS TO THE PRESIDENT ON CIVIL AERONAUTICS BOARD DECISIONS****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 5 USC 301; 28 USC 509; 28 USC 510; EO 12597**CFR Citation:** 28 CFR 25**Legal Deadline:** None

Abstract: This rule eliminates an unnecessary provision which sets forth procedures for the Department of Justice to receive public comments from private parties on recommendations by the Department to the President concerning decisions by the Department of Transportation authorizing air carriers to engage in foreign air transportation. In practice, the Department of Justice rarely provides such recommendations to the President, making the establishment of formal procedures to receive public comments concerning such recommendations unnecessary.

DOJ—LA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	01/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Howard M. Blumenthal, Assistant Chief, Legal Policy Section, Department of Justice, Antitrust Division, Main Bldg., Room

3121, 10th & Constitution Ave. NW., Washington, DC 20530
 Phone: 202 514-2513
 Fax: 202 514-9082
RIN: 1105-AA41

DEPARTMENT OF JUSTICE (DOJ)

Long-Term Actions

Legal Activities (LA)

2061. PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Priority: 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

Agency Contact: Janice Galli McLeod
 Phone: 202 514-4453
 Fax: 202 514-1009

RIN: 1105-AA20

2062. FEDERAL CLAIMS COLLECTION STANDARDS (FCCS)

Priority: Other

CFR Citation: 4 CFR 101 to 105

Timetable: Next Action Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Robert N. Ford
 Phone: 202 514-5343
 Fax: 202 514-1965

RIN: 1105-AA31

DEPARTMENT OF JUSTICE (DOJ)

Proposed Rule Stage

Office of Justice Programs (OJP)

2063. • ARREST POLICIES IN DOMESTIC VIOLENCE CASES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3796 hh et seq

CFR Citation: 28 CFR 90.60

Legal Deadline: NPRM, Statutory, January 1995. Final, Statutory, March 1995.

Abstract: A proposed rule is being issued for grants to encourage arrest policies pursuant to the Violence Against Women Act, title IV of the Violent Crime Control and Law

Enforcement Act of 1994, Public Law 103-322, 108 Stat. 1796. This Federal discretionary grant program is to encourage States, units of local government, and Indian tribal government to treat domestic violence as a serious violation of criminal law. The regulation is being published under section 801 of the Omnibus Crime Control and Safe Streets Act, as amended, 42 USC 3752.

Timetable:

Action	Date	FR Cite
NPRM	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal

Agency Contact: Kathy Schwartz, Administrator, Violence Against Women Program Office, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Room 444, Washington, DC 20531
 Phone: 202 307-6026

RIN: 1121-AA35

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Office of Justice Programs (OJP)

2064. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3711 et seq, as amended; 42 USC 5601 et seq, as amended; 42 USC 10601 et seq, as amended; 18 USC 4042; 18 USC 4351 to 4353; EO 12291

CFR Citation: 28 CFR 70

Legal Deadline: None

Abstract: This rule will implement OMB Circular A-110 which provides uniform administrative requirements for grants and cooperative agreements in institutions of higher education, hospitals, and other nonprofit organizations. This rule specifies terms and conditions for grants and cooperative agreements.

Timetable:

Action	Date	FR Cite
Final Rule	07/26/95	60 FR 38241
Final Rule Effective	07/26/95	
Final Action	11/00/95	

Small Entities Affected: Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Additional Information: A final rule was published on July 26, 1995.

Editorial and other corrections will be published in the near future.

Agency Contact: Cynthia Schwimer, Director, Financial Management and Grants Administration Division, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Room 942, Washington, DC 20531
Phone: 202 307-3186

RIN: 1121-AA18

2065. VIOLENT OFFENDER INCARCERATION AND TRUTH IN SENTENCING INCENTIVE GRANT PROGRAM

Priority: Other Significant

Legal Authority: Subtitle A title II Violent Crime Cont and Law Enf Act of 1994; PL 103-322; 108 Stat 1796

CFR Citation: 28 CFR 91

Legal Deadline: Other, Statutory, January 13, 1995.

Sec 20105 of title II of Violent Crime Cont and Law Enf Act of 1994 requires the Attorney General to issue rules and regulations re use of title II grant funds within 90 days of Act enactment.

Abstract: This regulation implements authorization for grants to States, and States organized in multistate compacts, for assistance to adult and juvenile correctional systems. The program recognizes that States and local jurisdictions have experienced substantial increases in jail, prison and juvenile confinement populations in recent years, resulting in escalating costs and serious difficulties in managing overcapacity correctional populations. Because of these constraints, correctional systems have often been unable to implement new programs, develop alternative

confinement strategies, or open new facilities. This program seeks to provide funds to address the immediate needs of correctional facilities and programs.

In particular, the program emphasizes the need to make available both conventional jail and prison space for the confinement of violent offenders and to ensure that violent offenders remain incarcerated for substantial periods of time through the implementation of truth in sentencing laws. Accordingly, subtitle A directs the Attorney General to award grants to construct, develop, expand, modify, operate or improve correctional facilities and other correctional facilities that will free secure prison space for the confinement of violent offenders.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/07/94	59 FR 63015
Final Action	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Larry Meacham, Corrections Program Office, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531
Phone: 202 307-3914

RIN: 1121-AA25

2066. • VICTIM ASSISTANCE GRANT PROGRAM GUIDELINES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 10601 et seq

CFR Citation: None

Legal Deadline: None

Abstract: The Victims of Crime Act of 1984, as amended, 42 USC 10601 et seq, authorizes Federal financial assistance to States for the purpose of compensating and assisting victims of crime, providing funds for training and technical assistance, and assisting, victims of Federal crimes. These program guidelines provide information on the administration and implementation of the VOCA victim assistance grant program as authorized in the Act, and contain information on the following: background; allocation of VOCA Victim Assistance Funds; VOCA Victim Assistance Application Process; program requirements; financial requirements; monitoring; and suspension and termination of funding. The guidelines are based on the experience gained during the first nine years of the grant program and are in accordance with VOCA. These final program guidelines supersede any guidelines issued previously by OVC.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/10/95	60 FR 24888
Final Action	11/00/95	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: Carolyn A. Hightower, Acting Director, State Compensation and Assistance Division, Department of Justice, Office of Justice Programs, Office for Victims of Crime, 633 Indiana Avenue NW., Washington, DC 20531
Phone: 202 307-5947

RIN: 1121-AA30

**DEPARTMENT OF JUSTICE (DOJ)
Office of Justice Programs (OJP)**

Long-Term Actions

2067. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

Priority: Other Significant

CFR Citation: 28 CFR 82

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/06/94	59 FR 50830
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: State, Local

Agency Contact: Linda J. McKay
Phone: 202 514-6638

RIN: 1121-AA24

2068. • CRIMINAL JUSTICE INFORMATION SYSTEMS

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 20

Legal Deadline: None

Abstract: This part sets forth requirements for the collection, storage, and maintenance of criminal history information kept in connection with projects funded under the Omnibus Crime Control and Safe Streets Act, to

DOJ—OJP

Long-Term Actions

ensure that such information is collected, stored, and disseminated in a manner consistent with constitutional and statutory standards to insure completeness, integrity, accuracy and security and to protect individual privacy. These safeguards assist grantees by providing guidance on how to comply with statutes and common law to protect the privacy and constitutional rights of individuals on whom they maintain information and to ensure the integrity of these operating systems. This part is currently being reviewed to determine if information required under the plans can be incorporated with existing grants management compliance requirements in other provisions.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local, Tribal

Agency Contact: Christine Craig, 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-AA32

2069. • 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: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: State, Local, Tribal

Agency Contact: Christine Craig, 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

2070. • 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: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Christine Craig, 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)

Completed Actions

Office of Justice Programs (OJP)

2071. DRUG COURT PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 28 CFR 93

Completed:

Reason	Date	FR Cite
Final Action	06/20/95	60 FR 32104
Final Action Effective	06/20/95	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Agency Contact: Tim Murray
Phone: 202 616-5001

RIN: 1121-AA26

2072. GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN

Priority: Other Significant

CFR Citation: 28 CFR 90

Completed:

Reason	Date	FR Cite
Final Action	04/15/95	60 FR 19474
Final Action Effective	04/15/95	

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal

Agency Contact: Kathy Schwartz

Phone: 202 307-6206

RIN: 1121-AA27

2073. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENT FOR DRUGFREE WORKPLACE (GRANTS)

Priority: Other Significant

CFR Citation: 28 CFR 67

Completed:

Reason	Date	FR Cite
Final Action	06/26/95	60 FR 33037
Final Action Effective	08/25/95	

DOJ—OJP

Completed Actions

Small Entities Affected: None

Agency Contact: Cynthia J. Schwimer

Phone: 202 307-3186

Government Levels Affected: None

RIN: 1121-AA29

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