Monday,
April 30, 2007

Part XIV

Department of State

Semiannual Regulatory Agenda
### DEPARTMENT OF STATE (STATE)

**DEPARTMENT OF STATE**

**22 CFR Ch. I**

[Public Notice 5709]

**Unified Agenda of Federal Regulatory and Deregulatory Actions**

**AGENCY:** Department of State.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** Consistent with the Regulatory Flexibility Act of 1980, 5 U.S.C. 602, and OMB guidance to the Department of State pursuant to Executive Order 12866, the spring 2007 regulatory agenda of the Department of State is set forth below. The purpose of this publication is to provide information to the public on the Department’s regulatory plans.

**FOR FURTHER INFORMATION CONTACT:**
Bernard L. Seward, Jr., Office of the Assistant Legal Advisor for Management, Department of State, Room 3422, 2201 C Street NW., Washington, DC 20520; telephone (202) 647-2318.

**Dated:** March 12, 2007.

Henrietta H. Fore,
Under Secretary of State for Management.

#### Department of State—Proposed Rule Stage

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<td>Passport Procedures—Amendment to Passport Regulations</td>
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#### Department of State—Completed Actions

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<td>Passport Procedures—Amendment to Restriction of Passport Regulations</td>
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#### Department of State (STATE) Proposed Rule Stage

1850. NATIONAL SECURITY INFORMATION REGULATIONS

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** EO 12958, as amended

**CFR Citation:** 22 CFR 9

**Abstract:** The rule will revise the regulations governing the classification of national security information under the control of the Department in order to reflect the provisions of E.O. 12958, as amended by E.O. 13292 (March 25, 2003), on national security information.

**Timetable:**

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<tr>
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<tbody>
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<td>04/04/07</td>
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**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nicholas M. Murphy, Foreign Affairs Officer, Department of State, A/RPS/IPS, Room 4057, State Annex 2, 515 22nd Street NW, Washington, DC 20522–6001
Phone: 202 261–8333
Fax: 202 261–8333
Email: murphynm@state.gov

**RIN:** 1400–AB98

1851. DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 93–400; PL 83–96

**CFR Citation:** 48 CFR 8

**Legal Deadline:** None

**Abstract:** This rule will update the DOSAR to expand contracting authority to non U.S. citizen locally employed staff.

**Timetable:**

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**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gladys G. Gines, Procurement Analyst, Office of the Procurement Executive, Department of State, Washington, DC 20522–6002
Phone: 703 516–1691
Fax: 703 875–6155
Email: ginesgg@state.gov

**RIN:** 1400–AB98

1852. INTERCOUNTRY ADOPTION—REPORTING ON NON–CONVENTION AND CONVENTION ADOPTIONS OF EMIGRATING CHILDREN

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 42 USC 14912(e); 42 USC 14914; 42 USC 14932(d)

**CFR Citation:** 22 CFR 99

**Legal Deadline:** None

**Abstract:** This rule implements reporting requirements of the Intercountry Adoption Act of 2000 (the IAA) involving adoptions of children who will emigrate from the United States. The reporting obligations apply to adoptions that are covered under the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (the Convention) and non-convention adoptions. This rule requires that, in Convention cases and non-Convention cases involving the emigration of a child from the United States, certain parties, including governmental authorities providing adoption services, submit information to the Department’s Case Registry.

**Timetable:**

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**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Agency Contact:** Anna Mary Coburn, Office of Policy Review and Interagency Liaison, Bureau of Consular Affairs, Department of State, 2201 C Street NW, Washington, DC 20520
Phone: 202 736–9081
Fax: 202 736–9111
Email: coburna@state.gov

**RIN:** 1400–AC20

1853. FREEDOM OF INFORMATION ACT SEARCH FEES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 5 USC 522

**CFR Citation:** 22 CFR 171.14(a)

**Legal Deadline:** None

**Abstract:** This rule will revise the existing Department regulation governing the calculation of fees for searching for information in Department files responsive to Freedom of Information Act request.

**Timetable:**

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**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No
The rule will amend section 22 CFR 62.25(m) secondary school students to amend reporting requirements to include submission of a standard management audit.

**Timetable:**

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, 301 4th Street SW, Washington, DC 20547

**Email:** colvinnss@state.gov

**RIN:** 1400–AC28

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1857. ● DEPARTMENT OF STATE ACQUISITION REGULATION—INFORMATION TECHNOLOGY SECURITY

**Priority:** Other Significant

**Legal Authority:** PL 93–400; PL 96–83

**CFR Citation:** 48 CFR 6

**Legal Deadline:** None

**Abstract:** This rule will update the DOSAR to include coverage on information technology security for contractors.

**Timetable:**

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gladys G. Gines, Procurement Analyst, Office of the Procurement Executive, Department of State, Washington, DC 20522–0602

**Phone:** 703 516–1691

**Fax:** 703 875–6155

**Email:** ginesgg@state.gov

**RIN:** 1400–AC31

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1858. ● DEPARTMENT OF STATE ACQUISITION REGULATION—IMPLEMENTATION OF HOMELAND SECURITY PRESIDENTIAL DIRECTIVE 12

**Priority:** Other Significant

**Legal Authority:** PL 93–400; PL 96–83

**CFR Citation:** 48 CFR 6

**Legal Deadline:** None

**Abstract:** This rule will update the DOSAR to provide guidance on the Department’s requirements to implement HSPD 12.

**Timetable:**

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gladys G. Gines, Procurement Analyst, Office of the
Procurement Executive, Department of State, Washington, DC 20522–0602
Phone: 703 516–1691
Fax: 703 875–6155
Email: ginesgg@state.gov

RIN: 1400–AC32

1859. DEPARTMENT OF STATE ACQUISITION REGULATION—UPDATES
Priority: Other Significant
Legal Authority: PL 93–93–400; PL 96–83
CFR Citation: 48 CFR 6
Legal Deadline: None
Abstract: This rule will update the DOSAR to incorporate recent FAR changes.

Timetable:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None

Agency Contact: Gladys G. Gines, Procurement Analyst, Office of the Procurement Executive, Department of State, Washington, DC 20522–0602
Phone: 703 516–1691
Fax: 703 875–6155
Email: ginesgg@state.gov

RIN: 1400–AC34

1860. DEPARTMENT OF STATE ACQUISITION REGULATION—EDITORIAL CHANGES
Priority: Info./Admin./Other
Legal Authority: PL 93–400; PL 96–83
CFR Citation: 48 CFR 6
Legal Deadline: None
Abstract: This rule will update the DOSAR to incorporate recent FAR changes.

Timetable:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None

Agency Contact: Gladys G. Gines, Procurement Analyst, Office of the Procurement Executive, Department of State, Washington, DC 20522–0602
Phone: 703 516–1691
Fax: 703 875–6155
Email: ginesgg@state.gov

RIN: 1400–AC33

1861. EXCHANGE VISITOR PROGRAM—STUDENT INTERNS—COLLEGE AND UNIVERSITY STUDENTS
Priority: Substantive, Nonsignificant
Major status under 5 USC 801 is undetermined
CFR Citation: 22 CFR 62.23
Legal Deadline: None
Abstract: This rule will amend section 22 CFR 62.23 to create a new subcategory of college and university students called student interns.

Timetable:

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

Agency Contact: Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, 301 4th Street SW, Washington, DC 20547
Phone: 202 203–7415
Fax: 202 203–5087
Email: colvins@state.gov

RIN: 1400–AC35

1862. EXCHANGE VISITOR PROGRAM—SUBPART A—GENERAL PROVISIONS
Priority: Substantive, Nonsignificant
CFR Citation: 22 CFR 62, subpart A
Legal Deadline: None
Abstract: This rule will amend section 22 CFR 62, subpart A, in order to provide greater specificity regarding participant eligibility and includes provisions on sponsor site visits.

Timetable:

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

Agency Contact: Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, 301 4th Street SW, Washington, DC 20547
Phone: 202 203–7415
Fax: 202 203–5087
Email: colvins@state.gov

RIN: 1400–AC36

1863. STUDENT EXCHANGE VISITOR INFORMATION SYSTEM (SEVIS) RULE
Priority: Substantive, Nonsignificant
Unfunded Mandates: Undetermined


CFR Citation: 22 CFR 62, subpart F
Legal Deadline: None

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

Timetable:

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Stanley S. Colvin, Acting Director, Office of Exchange Coordination and Designation, Department of State, 301 4th Street SW, Washington, DC 20547
Phone: 202 203–7415
Fax: 202 203–5087
Email: colvinss@state.gov
RIN: 1400–AB45

1865. DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT—ELECTRONIC PETITION FOR DIVERSITY IMMIGRANT STATUS

Priority: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1104

CFR Citation: 22 CFR 42.33

Legal Deadline: None

Abstract: This rule changes the manner in which aliens may petition for the opportunity to participate in the Diversity Visa Program from a standard mail-in system to an entirely electronic system utilizing a specifically designated Internet website.

Timetable:

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: James R. Pritchett, Chief of Legislation and Regulation Division, Visa Services, Department of State, SA–1, Room 603, 2401 E Street NW, Washington, DC 20520
Phone: 202 663–3844
Fax: 202 663–3898
Email: pritchettp@state.gov
RIN: 1400–AC04

1866. ALIENS INADMISSIBLE UNDER THE IMMIGRATION AND NATIONALITY ACT—UNLAWFUL VOTERS

Priority: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: sec 201(b)(1), PL 106–395 as amended; 212(a)(10) INA; 212(a)(10)(d) INA

CFR Citation: 22 CFR 40.104

Legal Deadline: None

Abstract: This rule authorized by the Child Citizenship Act of 2000, Public Law 106-395, amends the Department’s visa regulations by adding an exception to the grounds of inadmissibility for aliens who have voted in violation of U.S. law.

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Ronald L. Acker, Lead Visa Specialist, Department of State, 2401 E Street NW, Washington, DC 20522
Phone: 202 663–1205
Fax: 202 663–3898
Email: ackerrl@state.gov
RIN: 1400–AB68

1867. VISAS—DOCUMENTATION OF IMMIGRANTS: FIFTH PREFERENCE—EMPLOYMENT–CREATION IMMIGRANTS

Priority: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 8 USC 1153; PL 108–156; 117 Stat 1945

CFR Citation: 22 CFR 42.32

Legal Deadline: None

Abstract: This rule implements the Basic Pilot Program Extension and Expansion Act of 2003 (Pub. L. 108-156), which reinstates and extends the Illegal Immigration Reform and Immigrant Responsibility Act’s employment eligibility verification program for 5 years with a new sunset date of November 2008. In addition, outdated references to the Immigration and Naturalization Service in 22 CFR 42.32 will be updated to reflect the role of the Department of Homeland Security.

Timetable:

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None
1869. EXCHANGE VISITOR PROGRAM—TRaineES AND INTERNS

Priority: Substantive, Nonsignificant
Legal Authority: Mutual Educational Cultural Act of 1961, PL 87–256, 22 USC 2451, et seq; sec 102 of the Act, 22 USC 2452; sec 101 (c) (15) (J) of the Immigration and Nationality Act, 8 USC 1101 (c) (15) (J)
CFR Citation: 22 CFR 62.22
Legal Deadline: None
Abstract: This rule creates a new category of interns set forth at 22 CFR 62.22 under the Exchange Visitor (J-1) Program.

Timetable:

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Regulatory Flexibility Analysis
Required: No
Small Entities Affected: No

1870. ALIENS INADMISSIBLE UNDER THE IMMIGRATION AND NATIONALITY ACT—TRACKERS IN PERSONS

Priority: Other Significant
Legal Authority: 8 USC 1104
CFR Citation: 22 CFR 40.27
Legal Deadline: None
Abstract: This amends the Department’s regulations concerning VISA ineligibility by adding a new ground of inadmissibility for aliens involved in significant trafficking in persons. The Department is amending the regulations to comply with the provisions of the Trafficking Victims Protection Act of 2000.

Timetable:

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Regulatory Flexibility Analysis
Required: No
Small Entities Affected: No

1871. INTERCOUNTRY ADOPTION—ISSUANCE OF HAGUE CONVENTION CERTIFICATES AND DECLARATIONS IN CONVENTION ADOPTION CASES

Priority: Other Significant
Legal Authority: 42 USC 14932
CFR Citation: 22 CFR 97
Legal Deadline: None
Abstract: This regulation will govern the application process for Hague Convention Certificates and Hague Convention Declarations pursuant in cases involving emigration of a child from the United States. It will establish a process for seeking certification for purposes of Article 23 of the Convention, that an adoption done in the United States following a grant of custody in a Convention country of origin was done in accordance with the Convention.

Timetable:

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Regulatory Flexibility Analysis
Required: No
Small Entities Affected: No

1872. CARD FORMAT PASSPORT

Priority: Other Significant
Legal Authority: 8 USC 1101(a)(30)
CFR Citation: 22 CFR 51.1(e); 22 CFR 22.51
Legal Deadline: None
Abstract: This regulation will establish an identification card-format passport (passcard) for use in crossing, by land, the borders between the United States and its neighbors. It will also affect the charges and fees concerning the procurement of passports, both changes in the costs of the traditional book format and rates for the new card format.

Timetable:

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

Agency Contact: Consuelo Pachon, Attorney Advisor, Department of State, 2100 Pennsylvania Avenue NW, Washington, DC 20037
Phone: 202 663–2431
Fax: 202 663–2654
RIN: 1400–AC22

1873. PASSPORT PROCEDURES—AMENDMENT TO PASSPORT REGULATIONS

Priority: Other Significant
Legal Authority: PL 109–167, 119 Stat 3578
CFR Citation: 22 CFR 51
Legal Deadline: None
Abstract: This interim rule implements the requirements to the Passport Services Enhancement Act of 2005, amending the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). The Passport Services Enhancement Act authorizes the Department of State to assess a surcharge on applicable fees for the filing of each passport application to offset its additional costs. The surcharge will be collected from within the application fee and will not increase the overall current cost of the passport.

Timetable:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Timothy M. Scherer, Management Analyst, Department of State, H1004, SA–1, Washington, DC 20522
Phone: 202 663–2504
Fax: 202 663–2488
Email: scherertm@state.gov
RIN: 1400–AC23

1874. CHILD STATUS PROTECTION ACT BENEFICIARIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.
CFR Citation: Not Yet Determined
Completed:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Ronald L. Acker
Phone: 202 663–1205
Fax: 202 663–3898
Email: ackerrl@state.gov
RIN: 1400–AB87

1875. DOCUMENTATION OF IMMIGRANT AND NONIMMIGRANT VISAS—FINGERPRINT REQUIREMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.
CFR Citation: Not Yet Determined
Completed:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Ronald L. Acker
Phone: 202 663–1205
Fax: 202 663–3898
Email: ackerrl@state.gov
RIN: 1400–AB88

1876. DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED—PROFESSIONALS UNDER THE NORTH AMERICAN FREE TRADE AGREEMENT

Priority: Substantive, Nonsignificant
CFR Citation: 22 CFR 41.59
Completed:

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Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Ronald L. Acker
Phone: 202 663–1205
Fax: 202 663–3898
Email: ackerrl@state.gov
RIN: 1400–AB89
### 1877. HAGUE CONVENTION ON INTERCOUNTRY ADOPTION ACT OF 2000; CONSULAR OFFICER PROCEDURES IN CONVENTION CASES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 22 CFR 42.24

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Ronald L. Acker
Phone: 202 663–1205
Fax: 202 663–3898
Email: ackerrl@state.gov

**RIN:** 1400–AC17

### 1878. PUBLICATIONS, COORDINATION AND REPORTING OF INTERNATIONAL AGREEMENTS: AMENDMENTS

**Priority:** Other Significant

**CFR Citation:** 22 CFR 181

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** John Kim
Phone: 202 647–1660
Fax: 202 736–7541
Email: kimmjj@state.gov

**RIN:** 1400–AC21

### 1879. DEATH AND ESTATE REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 22 CFR 72

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Michael Meszaros
Phone: 202 736–9112
Fax: 202–736–9111
Email: meszarosm@state.gov

**RIN:** 1400–AC24

### 1880. PASSPORT PROCEDURES—AMENDMENT TO RESTRICTION OF PASSPORT REGULATIONS

**Priority:** Substantive, Nonsignificant


**CFR Citation:** 22 CFR 51.70(a)(8)

**Legal Deadline:** None

**Abstract:** This regulation resets the limit of child support arrears at which a passport can be denied from $5,000 to $2,500, while leaving the rest of the regulations and current programs in place. This is at the behest of the Department of Health and Human Services. It is a small change in an existing regulation, which denies passports to child support obligors, and implications outside the specific scope of this regulatory change should be minimal.

**Timetable:**

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**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Consuelo Pachon, Attorney Advisor, Department of State, 2100 Pennsylvania Avenue NW, Washington, DC 20037
Phone: 202 663–2431
Fax: 202 663–2654

**RIN:** 1400–AC27

[FR Doc. 07–01292 Filed 04–27–07; 8:45 am]