

PUBLICATION UPDATE

Route to:  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  
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# Bender's Immigration Regulations Service

Publication 695 Release 213

February 2011

## HIGHLIGHTS

### REGULATORY CHANGES

- Release 213 includes regulatory changes published in the Federal Register as of January 18, 2011.

#### 8 CFR Regulations (Volume 1)

- **Correction to final rule of Sept. 24, 2010 (DHS-USCIS Fees Schedule).** In its final rule published at 75 FR 58962, Sept. 24, 2010 (effective Nov. 23, 2010), DHS inadvertently listed a fee of \$165 for filing an Application for Travel Document (Form I-131) for a refugee travel document for an adult age 16 or older. The correct fee is \$135. Accordingly, the amount of the fee specified at 8 CFR § 103.7(b)(1)(i)(M)(1) has been corrected to read "\$135". The correction was published at 75 FR 69851, Nov. 16, 2010, effective Nov. 23, 2010
- **E-2 Nonimmigrant Status for Aliens in the Commonwealth of the Northern Mariana Islands With Long-Term Investor Status.** By final rule, 75 FR 79264, Dec. 20, 2010, effective Jan. 19,

2011, DHS amended its regulations governing E-2 nonimmigrant treaty investors to establish procedures for classifying long-term investors in the Commonwealth of the Northern Mariana Islands (CNMI) as E-2 nonimmigrants. The final rule implements the CNMI nonimmigrant investor visa provisions of the Consolidated Natural Resources Act of 2008 (Pub. L. 110-229, 122 Stat. 754) extending the immigration laws of the United States to the CNMI. The final rule added the following new provisions: 8 CFR §§ 103.7(c)(3)(xix), 214.2(e)(23), 274a.12(b)(22) and (c)(12).

#### DOS Regulations (Volume 2)

- **Exchange Visitor Program—Secondary School Students.** By final rule, 75 FR 65975, Oct. 27, 2010, effective Nov. 26, 2010, the Department of State revised its existing Secondary School Student regulations regarding the screening, selection, school enrollment, orientation, and quality assurance monitoring of exchange students as well as the screening, selection, orientation, and quality assurance monitoring

of host families and field staff. Also adopted is a new requirement regarding training for all organizational representatives who place and/or monitor students with host families. Revised in its entirety is 22 CFR § 62.25 (Secondary school students). Added is a new Appendix F to Part 62—Information To Be Collected on Secondary School Student Host Family Applications.

- **Visas: Waiver for Ineligible Nonimmigrants Under the Immigration and Nationality Act.** By final rule, 75 FR 82242, Dec. 30, 2010, the Department of State has incorporated a revision to the Immigration and Nationality Act made by section 5503(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108-458) relative to the grounds of inadmissibility under the Immigration and Nationality Act (INA) for which consular officers or the Sec-

retary of State may recommend that the Secretary of Homeland Security exercise discretionary waiver authority in the case of an applicant for a nonimmigrant visa. The final rule revised in its entirety 22 CFR § 40.301(a).

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Publication 695 Release 213

February 2011

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## VOLUME 1

### Revision

Title page. . . . . Title page

### 8 CFR

- 23 . . . . . 23 thru 24.1
- 57 . . . . . 57 thru 58.1
- 63 thru 65 . . . . . 63 thru 66.1
- 243 thru 245 . . . . . 243 thru 246.1
- 255. . . . . 255 thru 256.3
- 369 thru 370.5 . . . . . 369 thru 370.5
- 663. . . . . 663 thru 664.1
- 683 thru 688.1 . . . . . 683 thru 688.1

## VOLUME 2

### Revision

Title page. . . . . Title page

### DOS Regulations

- 23 . . . . . 23 thru 24.1
- 115. . . . . 115 thru 116.1
- 136.5 thru 141 . . . . . 137 thru 142.3
- 163. . . . . 163 thru 164.1

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