

competent jurisdiction to be a U.S. state court or a foreign court located in the child's home state or place of habitual residence. Notwithstanding the existence of any such court order, a passport may be issued when compelling humanitarian or emergency reasons relating to the welfare of the child exist.

(2) Either parent may obtain information regarding the application for and issuance of a passport to a minor unless the inquiring parent's parental rights have been terminated by a court order which has been registered with the appropriate office at the Department of State; provided, however, that the Department may deny such information to any parent if it determines that the minor is of sufficient maturity to assert a privacy interest in his/her own right, in which case the minor's written consent to disclosure shall be required.

(3) The Department may require that conflicts regarding custody orders, whether domestic or foreign, be settled by the appropriate court before a passport may be issued.

Dated: February 6, 1996.

Ruth A. Davis,

*Acting Assistant Secretary, Bureau of Consular Affairs.*

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## Office of the Legal Adviser

### 22 CFR Parts 111, 112, and 133

[Public Notice 2332]

#### Repeal of Department of State Regulations on Removal of Alien Enemies, on World War II Reparations, and on Disposal of Foreign Surplus Property

**AGENCY:** Office of the Legal Adviser, Department of State.

**ACTION:** Final rule with request for comments.

**SUMMARY:** The Department of State is removing Parts 111, 112, and 133 of Title 22 of the Code of Federal Regulations. Part 111 relates to removal of alien enemies brought to the United States from other American republics. Part 112 relates to World War II reparations. Part 133 relates to disposal of surplus property in foreign areas under the Surplus Property Act of 1944. Parts 111 and 112 are obsolete and unnecessary. Part 133 is obsolete because of the repeal of the statutory authority and changes in the agencies having regulatory authority for the few remaining provisions; it is also unnecessary because of replacement

statutory and regulatory authority on this subject.

**DATES:** Effective April 22, 1996.

Comments are due on or before March 22, 1996.

**ADDRESSES:** Interested persons should send comments in writing and in duplicate to the Assistant Legal Adviser for Legislation and General Management, Office of the Legal Adviser, Department of State, Washington, DC 20520.

**FOR FURTHER INFORMATION CONTACT:** Mary Beth West, Assistant Legal Adviser for Legislation and General Management, (202) 647-5154.

**SUPPLEMENTARY INFORMATION:** This rule repeals 22 CFR Parts 111 and 112, which relate, respectively, to removal from the United States of aliens brought into the United States from another American republic whose presence the Secretary of State determines to be prejudicial to the security or welfare of the Americas, and to acceptance of World War II reparations payments. The authority upon which Part III was based, Presidential Proclamation No. 2655, dated April 10, 1946 (3 CFR 1943-1948 Comp.), has been repealed. The reparations program under Part 112 has not been active for some time and is not expected to be resumed. This rule also repeals Part 133, which was issued to implement provisions of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1611-1646) intended to regulate the disposition of United States Government property abroad in the aftermath of World War II. Most provisions of that Act have been repealed and superseded by more general provisions on disposition of United States Government property under the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 *et seq.*) or specific statutory authorities such as the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2141 *et seq.*). Superseding and remaining authorities are now the regulatory responsibility of agencies other than the Department of State.

The regulations which are the subject of the present rule are obsolete and unnecessary, dating from the World War II era. The regulations have not been used for many years. We believe, therefore, that the repeal of these regulations will be noncontroversial and that adverse comments will not be received. For that reason, it has been determined that the "good cause" exception from advance notice and comment rulemaking, found at 5 U.S.C. 553(d)(3), permits the direct implementation of this rule repealing

those regulations with provision for post-promulgation comment instead.

Repeal of these regulations is in furtherance of the President's Regulatory Reinvention Initiative. Neither the rule, nor the regulations which it would repeal, are expected to have a significant impact on a substantial number of small entities when considered under the criteria of the Regulatory Flexibility Act.

The rule does not impose a Federal regulatory mandate on State, local, or tribal government entities under the Unfunded Mandates Act (P.L. 104-4) because it repeals regulations which themselves created no such mandate. In addition, this rule does not impose information collection requirements under the provisions of the Paperwork Reduction Act of 1980. This rule has been reviewed by the Assistant Legal Adviser for Legislation and General Management and certified that it is in compliance with Executive Order 12778. This rule is exempt from review under Executive Order 12866, but has been reviewed internally by the Department of State to ensure consistency with the objectives of that order.

#### List of Subjects

##### 22 CFR Part 111

Aliens, Security measures.

##### 22 CFR Part 112

War claims.

##### 22 CFR Part 133

Surplus Government property.

#### PARTS 111, 112, AND 133— [REMOVED]

Accordingly, under the authority of 22 U.S.C. 2651a(4), 22 CFR Parts 111, 112, and 133 are removed.

Dated: February 7, 1996.

Mary Beth West,

*Assistant Legal Adviser for Legislation and General Management.*

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## AFRICAN DEVELOPMENT FOUNDATION

### 22 CFR Part 1504

#### Repeal of Superseded Regulations Covering Standards of Ethical Conduct for Employees of the African Development Foundation

**AGENCY:** African Development Foundation ("Foundation").

**ACTION:** Final rule.