

calendar day after the date the request is received by Customs, the claimant may file a petition in the district court in which the complaint has been filed, or, if no complaint has been filed, in the U.S. district court in which the seizure warrant was issued or in the U.S. district court for the district in which the property was seized.

§ 162.96 Remission of forfeitures and payment of fees, costs or interest.

When a person elects to petition for relief before, or in lieu of, filing a claim under § 162.94, any seizure subject to forfeiture under this subpart may be remitted or mitigated pursuant to the provisions of 19 U.S.C. 1618 or 31 U.S.C. 5321(c), as applicable. Any person who accepts a remission or mitigation decision will not be considered to have substantially prevailed in a civil forfeiture proceeding for purposes of collection of any fees, costs or interest from the Government.

PART 171—FINES, PENALTIES AND FORFEITURES

1. The authority citation for part 171 is revised to read as follows:

Authority: 18 U.S.C. 983; 19 U.S.C. 66, 1592, 1593a, 1618, 1624; 22 U.S.C. 401; 31 U.S.C. 5321; 46 U.S.C. App. 320.

Subpart F also issued under 19 U.S.C. 1595a, 1605, 1614; 21 U.S.C. 881 note.

2. Part 171 is amended by adding a new § 171.24 to read as follows:

§ 171.24 Remission of forfeitures and payment of fees, costs or interest.

Any seizure subject to forfeiture may be remitted or mitigated pursuant to the provisions of 19 U.S.C. 1618 or 31 U.S.C. 5321, as applicable. Any person who accepts a remission or mitigation decision will not be considered to have substantially prevailed in a civil forfeiture proceeding for purposes of

collection of any fees, costs or interest from the Government.

§ 171.52 [Amended]

3. In § 171.51(b)(7) and 171.52(a), the reference to “49 U.S.C. App. 782” is removed and, in its place, a reference to “49 U.S.C. 80303” is added.

PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS

1. The authority citation for part 178 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 1624; 44 U.S.C. 3501 *et seq.*

2. Section 178.2 is amended by adding the following in appropriate numerical sequence according to the section number under the columns indicated:

§ 178.2 Listing of OMB control numbers.

19 CFR Section	Description	OMB Control No.
* * * * *	* * * * *	* * * * *
§§ 162.94, 162.95(c)	Petition for remission or mitigation of forfeitures and penalties incurred	1515-0052
* * * * *	* * * * *	* * * * *
§ 171.11	Petition for remission or mitigation of forfeitures and penalties incurred	1515-0052
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Approved: August 24, 2000.
Raymond W. Kelly,
Commissioner of Customs.
John P. Simpson,
Deputy Assistant Secretary of the Treasury.
 [FR Doc. 00-31882 Filed 12-13-00; 8:45 am]
BILLING CODE 4820-02-P

DEPARTMENT OF STATE

22 CFR Part 22

[Public Notice 3503]

Schedule of Fees for Consular Services

AGENCY: Department of State.
ACTION: Interim rule; stay of regulation.

SUMMARY: The Department of State is staying the amendment of the schedule of fees for the affidavit of support processing fee published in the **Federal Register** of September 7, 2000 (65 FR 54148-54150).

DATES: Effective December 14, 2000, Item 61 of 22 CFR 22.1 is stayed until January 1, 2001.

FOR FURTHER INFORMATION CONTACT:
 Susan Abeyta, Office of the Executive Director, Bureau of Consular Affairs, Department of State, SA-1, 10th Floor, 2401 E Street, NW., Washington DC 20522-0111; telex (202) 663-2499; e-mail address *abeytask@state.gov*.

SUPPLEMENTARY INFORMATION: On September 7, 2000, (65 FR 54148-54150) the Department published a rule adding a new item, Item 61, to the Schedule of Fees for consular services. Item 61 calls for a fee of \$50.00 for review of a newly-required Affidavit of Support, Form I-864, when submitted in support of an application for immigration to the United States. The rule established October 1, 2000, as the effective date for collection of this new fee. For technical reasons, the Department was unable to begin this program on that date. This rule applies to posts designated for this purpose by the Deputy Assistant Secretary for Visa Services.

List of Subjects in 22 CFR Part 22

Schedule of Fees for Consular Services.
 22 CFR Part 22 is amended as follows:

PART 22—SCHEDULE OF FEES FOR CONSULAR SERVICES—DEPARTMENT OF STATE AND FOREIGN SERVICE

1. The authority citation for Part 22 continues to read:

Authority: 8 U.S.C. 1153 note, 1151, 1151 note; 10 U.S.C. 2602(c); 22 U.S.C. 214, 2504(a), 4201, 4206, 4215, 4219; 31 Y./s./c, 9701; E.O. 10718; 22 FR 4632, 3 CFR 1954-1958 Comp., p. 382; E.O. 11295, 31 FR 10603, 3 CFR 1966-1970 Comp., p. 570.

§ 22.1 [Amended]

2. Stay § 22.1, Item 61 until January 1, 2001.

Dated: November 27, 2000.

Bonnie R. Cohen,
Under Secretary for Management.
 [FR Doc. 00-31740 Filed 12-13-00; 8:45 am]
BILLING CODE 4710-06-P

DEPARTMENT OF STATE**22 CFR Part 42****[Public Notice 3505]****Immigrant Visas; Change in the Schedule of Fees for Consular Service****AGENCY:** Department of State.**ACTION:** Final Rule, with a request for comments.

SUMMARY: The Department of State is amending the immigrant visa regulations to reference a change in the Schedule of Fees for Consular Services which added a fee under Item 61 for assistance in the preparation of a required Affidavit of Support.

DATES: Effective January 1, 2001. Comments must be submitted by February 12, 2001.

ADDRESSES: Interested persons are invited to submit comments in duplicate to the Chief, Legislation and Regulations Division, Visa Services, Department of State, 20520-0106 or e-mail odomhe@state.gov.

FOR FURTHER INFORMATION CONTACT: H. Edward Odom, Chief, Legislation and Regulations Division, Visa Services, Department of State, Washington, D.C. 20520-0106, (202) 663-1204, e-mail odomhe@state.gov, or fax at (202) 663-3898.

SUPPLEMENTARY INFORMATION: On March 13, 2000, the Department of State published a Proposed Rule (65 FR 13253), establishing a fee of \$50.00 for the review of, and assistance rendered in connection with, the proper preparation of a required Affidavit of Support. Those services will be rendered in the United States at the National Visa Center and through a call center available to all affiants. That rule was made final on September 7, 2000, (65 FR 54148-54150).

This rule amends the immigrant visa regulation pertaining to the Affidavit of Support (22 CFR 40.41(b)), with respect to applicants from certain designated posts, to require the payment of that fee prior to the consular officer's assessment of the sufficiency of the affidavit. The Deputy Assistant Secretary for Visa Services shall designate such posts by public notice from time to time, until it becomes applicable worldwide.

Regulatory Analysis and Notices Administrative Procedure Act

The Department is publishing this rule as a final rule, with a 60-day provision for post-promulgation public comments, based on the "good cause" exceptions set forth at 5 U.S.C.

553(b)(3)(B) and 553(d)(3). The fee under reference has been the subject of both a proposed and a final rule, which will be effective on the same date as this rule. The imposition of such a fee is authorized by law.

Regulatory Flexibility Act

Pursuant to § 605 of the Regulatory Flexibility Act, the Department has assessed the potential impact of this rule, and the Assistant Secretary for Consular Affairs hereby certifies that is not expected to have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 12866

The Department of State does not consider this rule to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section (6)(a)(3)(A).

Executive Order 131332

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or

warrant the preparation of a federalism summary impact statement.

Paperwork Reduction Act

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

List of Subjects in 22 CFR Part 40

Aliens, Immigrants, Nonimmigrants, Visas, Ineligibilities

PART 40—REGULATIONS PERTAINING TO BOTH NONIMMIGRANTS AND IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

1. The authority citation for part 40 is as follows:

Authority: 8 U.S.C. 1104

2. Revise § 40.41(b) to read as follows:

§ 40.41 Public Charge

* * * * *

(b) *Affidavit of support.* Any alien seeking an immigrant visa under INA 201(b)(2), 203(a), or 203(b), based upon a petition filed by a relative of the alien (or in the case of a petition filed under INA 203(b) by an entity in which a relative has a significant ownership interest), shall be required to present to the consular officer an affidavit of support (AOS) on a form that complies with terms and conditions established by the Attorney General. Petitioners for applicants at a post designated by the Deputy Assistant Secretary for Visa Services for initial review of and assistance with such an AOS will be charged a fee for such review and assistance pursuant to Item 61 of the Schedule of Fees for Consular Services (22 CFR 22.1).

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Dated: November 29, 2000.

Maura Hart,

Acting Assistant Secretary for Consular Affairs.

[FR Doc. 00-31742 Filed 12-13-00; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF STATE**22 CFR Part 42****[Public Notice 3504]****Change in Procedures for Payment of Certain Immigrant Visa Fees****AGENCY:** Department of State.**ACTION:** Interim rule; stay of regulation.

SUMMARY: The Department of State is staying the recent regulation pertaining to a change in procedures for the