



Federal Register

**Monday,
May 11, 2009**

Part VII

**Department of
Homeland Security**

Semiannual Regulatory Agenda

DEPARTMENT OF HOMELAND SECURITY (DHS)

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Chs. I and II

[DHS Docket No. OGC-RP-04-001]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Office of the Secretary, DHS.

ACTION: Semiannual regulatory agenda.

SUMMARY: This regulatory agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department of Homeland Security (DHS) and its component agencies and divisions. This agenda provides the public with information about DHS' regulatory activity. DHS expects that this information will enable the public to be more aware of and effectively participate in the Department's regulatory activity. The public also is invited to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:

General

Please direct all comments and inquiries on the agenda in general to the Regulatory Affairs Division, Office of the General Counsel, Department of Homeland Security, Washington, DC 20528.

Specific

Please direct specific comments and inquiries on individual regulatory actions identified in this agenda to the individual listed in the summary of the regulation as the point of contact for that regulatory action.

SUPPLEMENTARY INFORMATION: This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866, "Regulatory Planning and Review" (September 30, 1993), which require the publication of a semiannual agenda of regulations by the Department. The regulatory agenda is a semiannual summary of all current and projected rulemakings, as well as actions completed since the publication of the last regulatory agenda for the Department. DHS' last semiannual regulatory agenda was published on November 24, 2008, at 73 FR 71378.

Beginning with the fall 2007 edition, the Internet will be the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), DHS' printed agenda entries include regulatory actions that are in the Department's regulatory flexibility agenda, in accordance with the

Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities. Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet. In addition, for fall editions of the Agenda, the entire regulatory plan will continue to be printed in the **Federal Register**, as in past years, including DHS' regulatory plan.

In September 2005, DHS joined the Environmental Protection Agency Federal Partner online electronic Federal Docket Management System (FDMS) located at www.regulations.gov; with the exception of the Coast Guard and TSA, who remained with the Department of Transportation's (DOT) electronic Docketing Management System. Effective October 1, 2007, the Coast Guard and TSA have fully migrated to FDMS, ensuring that all DHS regulatory actions subject to public comment are now available on www.regulations.gov.

The semiannual agenda of the Department conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

Dated: March 20, 2009.

Mary Kate Whalen,

Associate General Counsel for Regulatory Affairs.

U.S. Citizenship and Immigration Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
212	Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule	1615-AB80

U.S. Citizenship and Immigration Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
213	Alternate Alien Petition Program for EB Base Immigrants Based on Approved Labor Certifications	1615-AB34

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
214	Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (USCG-2001-10486)	1625-AA32

DHS

U.S. Coast Guard—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
215	Commercial Fishing Industry Vessels (USCG-2003-16158)	1625-AA77

U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
216	Claims Procedures Under the Oil Pollution Act of 1990 (USCG-2004-17697)	1625-AA03
217	Numbering of Undocumented Barges (USCG-1998-3798)	1625-AA14
218	Inspection of Towing Vessels (USCG-2006-24412)	1625-AB06
219	Passenger Weight and Inspected Vessel Stability Requirements (USCG-2007-0030)	1625-AB20

U.S. Customs and Border Protection—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
220	Importer Security Filing and Additional Carrier Requirements	1651-AA70

Transportation Security Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
221	Air Cargo Screening	1652-AA64

Transportation Security Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
222	Modification of the Aviation Security Infrastructure Fee (ASIF) (Market Share)	1652-AA43

U.S. Immigration and Customs Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
223	Electronic Signature and Storage of Form I-9, Employment Eligibility Verification	1653-AA47

Federal Emergency Management Agency—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
224	Update of FEMA's Public Assistance Regulations	1660-AA51

DHS

Federal Emergency Management Agency—Completed Actions

Sequence Number	Title	Regulation Identifier Number
225	Assistance to Firefighters Grant Program	1660-AA50

Department of Homeland Security (DHS)

Proposed Rule Stage

U.S. Citizenship and Immigration Services (USCIS)

212. ● ADJUSTMENT OF THE IMMIGRATION AND NATURALIZATION BENEFIT APPLICATION AND PETITION FEE SCHEDULE

Legal Authority: 8 USC 1356(m)
Abstract: This rule will adjust the fee schedule for U.S. Citizenship and Immigration Services (USCIS) immigration and naturalization benefit applications and petitions, including nonimmigrant applications and visa petitions. These fees fund the cost of processing applications and petitions for immigration benefits and services, and USCIS' associated operating costs. USCIS is revising these fees because the current fee schedule does not adequately recover the full costs of services provided by USCIS. Without

an adjustment of the fee schedule, USCIS cannot provide adequate capacity to process all applications and petitions in a timely and efficient manner. The fee review is undertaken pursuant to the requirements of the Chief Financial Officers Act of 1990 (CFO Act), 31 U.S.C. 901-03. The CFO Act requires each agency's Chief Financial Officer (CFO) to "review, on a biennial basis, the fees, royalties, rents, and other charges imposed by the agency for services and things of value it provides, and make recommendations on revising those charges to reflect costs incurred by it in providing those services and things of value." Id. at 902(a)(8). This rule will reflect recommendations made by the DHS

CFO and USCIS CFO, as required under the CFO Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/09	
NPRM Comment Period End	12/00/09	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Rendell Jones, Chief Financial Officer, Department of Homeland Security, U.S. Citizenship and Immigration Services, 20 Massachusetts Avenue NW., Suite 4018, Washington, DC 20259
 Phone: 202 272-1969

RIN: 1615-AB80

Department of Homeland Security (DHS)

Completed Actions

U.S. Citizenship and Immigration Services (USCIS)

213. ALTERNATE ALIEN PETITION PROGRAM FOR EB BASE IMMIGRANTS BASED ON APPROVED LABOR CERTIFICATIONS

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153 and 1154; 8 USC 1182;
Abstract: DHS and the Department of Labor's Employment and Training Administration (DOL) are proposing changes to reduce the incentives and opportunities for fraud and abuse related to the permanent employment of aliens in the United States. DHS is considering the elimination of the current practice of allowing the

substitution of alien beneficiaries on permanent labor certifications, among other options. In addition, DHS is proposing to reduce further the likelihood of the submission of malafide Form I-140, Immigration Petition for Alien Worker, which are employment-based petitions that are supported by fraudulent or stale labor certification applications for the permanent employment of aliens in the United States by proposing a 45-day period for employers to file approved permanent labor certifications in support of Form I-140 petitions with DHS after the issuance of an approved labor certification by DOL.

Timetable:

Action	Date	FR Cite
Withdrawn	04/16/09	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Sophia Cox, Department of Homeland Security, U.S. Citizenship and Immigration Services, 20 Massachusetts Avenue NW., 2nd Floor, Washington, DC 20529
 Phone: 202 272-1522
 Email: sophia.cox@dhs.gov

RIN: 1615-AB34

Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)
Proposed Rule Stage
214. STANDARDS FOR LIVING ORGANISMS IN SHIPS' BALLAST WATER DISCHARGED IN U.S. WATERS (USCG-2001-10486)
Legal Authority: 16 USC 4711

Abstract: This rulemaking would propose to add a performance standard to 33 CFR part 151, subpart D, for all ballast water management methods being used as alternatives to mid-ocean ballast water exchange. It supports the Coast Guard's strategic goals of marine safety and protection of natural resources. This project is significant due to high interest from Congress and several Federal and State agencies, as well as costs imposed on industry.

Timetable:

Action	Date	FR Cite
ANPRM	03/04/02	67 FR 9632
ANPRM Comment Period End	06/03/02	
NPRM	08/00/09	

Regulatory Flexibility Analysis
Required: Yes

Agency Contact: Bivan R. Patnaik, Project Manager, CG-5224, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 372-1435
Email: bivan.r.patnaik@uscg.mil

RIN: 1625-AA32

215. COMMERCIAL FISHING INDUSTRY VESSELS (USCG-2003-16158)

Legal Authority: 46 USC 4502(a) to 4502(d); 46 USC 4505 and 4506; 46 USC 6104; 46 USC 10603; DHS Delegation No. 0170.1(92)

Abstract: This rulemaking would amend commercial fishing industry vessel requirements to enhance maritime safety. The proposed changes

would affect vessel stability and watertight integrity, carriage of immersion suits, training, compliance documentation, and safety equipment.

Timetable:

Action	Date	FR Cite
ANPRM	03/31/08	73 FR 16815
ANPRM Comment Period End	12/15/08	
NPRM	12/00/09	

Regulatory Flexibility Analysis
Required: Yes

Agency Contact: Jack Kemerer, Project Manager, CG-5433, Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593

Phone: 202 372-1249
Email: jack.a.kemerer@uscg.mil

RIN: 1625-AA77

Department of Homeland Security (DHS)
U.S. Coast Guard (USCG)
Long-Term Actions
216. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (USCG-2004-17697)
Legal Authority: 33 USC 2713 and 2714

Abstract: This rulemaking implements section 1013 (Claims Procedures) and section 1014 (Designation of Source and Advertisement) of the Oil Pollution Act of 1990. An interim rule was published in 1992, and provides the basic requirements for the filing of claims for uncompensated removal costs or damages resulting from the discharge of oil, for the designation of the sources of the discharge, and for the advertisement of where claims are to be filed. The interim rule also includes the processing of natural resource damage (NRD) claims. The NRD claims, however, were not processed until September 25, 1997, when the Department of Justice issued an opinion that the Oil Spill Liability Trust Fund (OSLTF) is available without further appropriation to pay trustee NRD claims under the general claims provisions of the Oil Pollution Act (OPA) of 1990, 33 U.S.C. 2712(a)(4). Release of this more comprehensive notice of proposed rulemaking has been delayed while the Coast Guard gained experience on NRD

claims, as well as other OPA damages. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/92	57 FR 36314
Correction	09/09/92	57 FR 41104
Interim Final Rule Comment Period End	12/10/92	
Supplemental NPRM	To Be	Determined

Regulatory Flexibility Analysis
Required: Yes

Agency Contact: Benjamin White, Project Manager, National Pollution Funds Center, Department of Homeland Security, U.S. Coast Guard, NPFC MS 7100, United States Coast Guard, 4200 Wilson Boulevard, Arlington, VA 20598-7100
Phone: 202 493-6863
Email: benjamin.h.white@uscg.mil

RIN: 1625-AA03

217. NUMBERING OF UNDOCUMENTED BARGES (USCG-1998-3798)
Legal Authority: 46 USC 12301

Abstract: Title 46 U.S.C. 12301, as amended by the Abandoned Barge Act

of 1992, requires that all undocumented barges of more than 100 gross tons operating on the navigable waters of the United States be numbered. This rulemaking would establish a numbering system for these barges. The numbering of undocumented barges will allow identification of owners of barges found abandoned and help prevent future marine pollution. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments	10/18/94	59 FR 52646
Comment Period End	01/17/95	
ANPRM	07/06/98	63 FR 36384
ANPRM Comment Period End	11/03/98	
NPRM	01/11/01	66 FR 2385
NPRM Comment Period End	04/11/01	
NPRM Reopening of Comment Period	08/12/04	69 FR 49844
NPRM Comment Period End	11/10/04	
Next Action	Undetermined	

Regulatory Flexibility Analysis
Required: Yes

Agency Contact: Patricia Williams, Project Manager, National Vessel

DHS—USCG

Long-Term Actions

Documentation Center, Department of Homeland Security, U.S. Coast Guard, 792 T.J. Jackson Drive, Falling Waters, WV 25419
 Phone: 304 271-2506
RIN: 1625-AA14

Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
 Phone: 202 372-1415
RIN: 1625-AB06

types of passenger vessels capsizing due to either passenger overloading or operating these vessels in hazardous weather conditions. This rulemaking would support the Coast Guard's strategic goal of maritime safety.

218. INSPECTION OF TOWING VESSELS (USCG-2006-24412)

Legal Authority: 46 USC 3301, 46 USC 3305, 46 USC 3306, and 46 USC 3103; 46 USC 3703 [DHS Delegation No 0170.1]

Abstract: This rulemaking would implement a program of inspection for certification of towing vessels, which were previously uninspected. It would prescribe standards for safety management systems and third-party entities along with standards for construction, operation, vessel systems, safety equipment, and recordkeeping. Due to the costs imposed on an entire uninspected segment of the marine industry, the Coast Guard projects that this will be an economically significant rulemaking.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Dave Dolloff, Program Manager, CG-5222, Department of

219. PASSENGER WEIGHT AND INSPECTED VESSEL STABILITY REQUIREMENTS (USCG-2007-0030)

Legal Authority: 33 USC 1321(j); 43 USC 1333; 46 USC 2103, 2113, 3205, 3301, 3306, 3307, 3703, 5115, 6101; 49 USC App 1804; EO 11735; EO 12234; Dept of Homeland Security Delegation No 0170.1; PL 103-206, 107 Stat 2439; 49 USC App 1804; EO 11735

Abstract: The Coast Guard proposes developing a rule that addresses both the stability calculations and the environmental operating requirements for certain domestic passenger vessels. The proposed rule would address the outdated per-person weight averages that are currently used in stability calculations for certain domestic passenger vessels. In addition, the proposed rule would add environmental operating requirements for domestic passenger vessels that could be adversely affected by sudden inclement weather. This rulemaking would increase passenger safety by significantly reducing the risk of certain

Timetable:

Action	Date	FR Cite
NPRM	08/20/08	73 FR 49244
NPRM Comment Period End	11/18/08	
NPRM Comment Period Reopened	12/08/08	73 FR 74426
Comment Period End	02/06/09	
NPRM Comment Period Reopened	02/18/09	74 FR 7576
Comment Period End	03/20/09	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Peters, Program Manager, Office of Design and Engineering Standards, Systems Engineering Division (CG-5212), Department of Homeland Security, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593
 Phone: 202 372-1371
 Email: william.s.peters@uscg.mil

RIN: 1625-AB20

**Department of Homeland Security (DHS)
 U.S. Customs and Border Protection (USCBP)**

Final Rule Stage

220. IMPORTER SECURITY FILING AND ADDITIONAL CARRIER REQUIREMENTS

Legal Authority: PL 109-347, sec 203; 5 USC 301; 19 USC 66, 1431, 1433, 1434, 1624, 2071 note; 46 USC 60105

Abstract: On November 25, 2008, CBP published an interim final rule to implement the provision of section 203 of the Security and Accountability for Every Port Act of 2006. The rule requires carriers to submit a vessel stow plan and container status messages under certain scenarios where cargo containers are destined for the United States. The rule also requires importers or their agents to submit an Importer Security Filing (ISF) with eight data elements, no later than 24 hours before the cargo is laden at the foreign port and two data elements, no later than 24 hours prior to arrival in the United States.

The interim final rule included a delayed compliance date for affected importers and carriers by 12 months after date of publication. CBP is conducting a review, through June 1, 2009, to determine any specific compliance difficulties that importers and shippers may experience in submitting all ten data elements 24 hours before lading. Written comments may be submitted on or before June 1, 2009, concerning the data elements for which some type of flexibility has been provided. Based on the structured review and public comment periods, CBP will conduct an analysis of the elements subject to flexibility and issue a final rule to eliminate, modify, or maintain these requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/02/08	73 FR 90

Action	Date	FR Cite
NPRM Comment Period End	03/03/08	
NPRM Comment Period Extended	02/01/08	73 FR 6061
NPRM Comment Period End	03/18/08	
Interim Final Rule	11/25/08	73 FR 71730
Interim Final Rule Effective	01/26/09	
Interim Final Rule Comment Period End	06/01/09	
Final Action	12/00/09	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Richard DiNucci, Department of Homeland Security, U.S. Customs and Border Protection, Office of Field Operations, 1300 Pennsylvania Avenue, NW., Washington, DC 20229
 Phone: 202 344-2513

DHS—USCBP

Final Rule Stage

Email: richard.dinucci@dhs.gov

RIN: 1651-AA70

Department of Homeland Security (DHS)

Final Rule Stage

Transportation Security Administration (TSA)

221. AIR CARGO SCREENING

Legal Authority: PL 110-53, sec 1602; 49 USC 114; 49 USC 40113; 49 USC 44901 to 44905; 49 USC 44913 to 44914; 49 USC 44916; 49 USC 44935 to 44936; 49 USC 46105

Abstract: The Transportation Security Administration (TSA) will establish the Certified Cargo Screening Program that will certify shippers, manufacturers, and other entities to screen air cargo intended for transport on a passenger aircraft. This will be the primary means through which TSA will meet the requirements of section 1602 of the Implementing Recommendations of the 9/11 Commission Act of 2007 that mandates that 100 percent of air cargo transported on passenger aircraft, operated by an air carrier or foreign air carrier in air transportation or intrastate air transportation, must be screened by August 2010, to ensure the security of all such passenger aircraft carrying cargo.

Under this rulemaking, each certified cargo screening facility (CCSF) and their employees and authorized representatives that will be screening cargo must successfully complete a security threat assessment. The CCSF must also submit to an audit of their security measures by TSA-approved auditors, screen cargo using TSA-approved methods, and initiate strict chain of custody measures to ensure the security of the cargo throughout the supply chain prior to tendering it for transport on passenger aircraft.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/09	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Victor Parker, Branch Chief, Air Cargo Policy & Plans, Department of Homeland Security, Transportation Security Administration, Office of Transportation Sector Network Management, TSA-28, HQ, 601 South 12th Street, Arlington, VA 20598-6028

Phone: 571 227-3664
Email: victor.parker@dhs.gov

Adam Sicking, Economist, Regulatory Development and Economic Analysis, Department of Homeland Security, Transportation Security Administration, Office of Transportation Sector Network Management, TSA-28, HQ, E10-345N, 601 South 12th Street, Arlington, VA 20598-6028

Phone: 571 227-2304
Fax: 571 227-1362
Email: adam.sicking@dhs.gov

Alice Crowe, Sr. Attorney, Regulations and Security Standards Division, Department of Homeland Security, Transportation Security Administration, Office of the Chief Counsel, TSA-2, HQ, E12-320N, 601 South 12th Street, Arlington, VA 20598-6002
Phone: 571 227-2652
Fax: 571 227-1379
Email: alice.crowe@dhs.gov

RIN: 1652-AA64

Department of Homeland Security (DHS)

Long-Term Actions

Transportation Security Administration (TSA)

222. MODIFICATION OF THE AVIATION SECURITY INFRASTRUCTURE FEE (ASIF) (MARKET SHARE)

Legal Authority: 49 USC 44901; 49 USC 44940

Abstract: The Transportation Security Administration will revise the method for apportioning the Aviation Security Infrastructure Fee (ASIF) among air carriers. The ASIF is a fee imposed on air carriers and foreign air carriers to help pay the Government's costs of providing civil aviation security services.

Starting in fiscal year 2005, the Aviation and Transportation Security Act (ATSA) (Pub. L. 107-71; Nov. 19, 2001), codified at 49 U.S.C. 44940, authorizes TSA to change the methodology for imposing the ASIF on air carriers and foreign air carriers from

a system based on their 2000 screening costs to a system based on market share or other appropriate measures.

On November 5, 2003, the Transportation Security Administration (TSA) published a notice requesting comment on possible changes in order to allow for open industry and public input. TSA sought comments on issues regarding how to impose the ASIF, and whether, when, and how often the ASIF should be adjusted. The comment period was extended on the notice for an additional 30 days, until February 5, 2004. TSA is considering a market share methodology for implementation.

Timetable:

Action	Date	FR Cite
Notice; Requesting Comment—Imposition of the Aviation Security Infrastructure Fee (ASIF)	11/05/03	68 FR 62613
Notice—Imposition of ASIF; Comment Period End	01/05/04	
Notice—Imposition of ASIF; Comment Period Extended	12/31/03	68 FR 75611
Notice—Imposition of ASIF; Extended Comment Period End	02/05/04	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes

DHS—TSA

Long-Term Actions

Agency Contact: Michael Gambone, Deputy Director, Office of Revenue, Department of Homeland Security, Transportation Security Administration, Office of Finance and Administration, TSA-14, HQ, W12-319, 601 South 12th Street, Arlington, VA 20598-6014
 Phone: 571 227-1081
 Fax: 571 227-2904
 Email: michael.gambone@dhs.gov

Nicholas (Nick) Acheson, Sr. Economist, Regulatory Development and Economic Analysis, Department of Homeland Security, Transportation Security Administration, Office of Transportation Sector Network Management, TSA-28, HQ, E10-410N, 601 South 12th Street, Arlington, VA 20598-6028
 Phone: 571 227-5474
 Fax: 571 227-1362
 Email: nicholas.acheson@dhs.gov

Linda L. Kent, Assistant Chief Counsel, Regulations and Security Standards Division, Department of Homeland Security, Transportation Security Administration, Office of the Chief Counsel, TSA-2, HQ, E12-126S, 601 South 12th Street, Arlington, VA 20598-6002
 Phone: 571 227-2675
 Fax: 571 227-1381
 Email: linda.kent@dhs.gov
RIN: 1652-AA43

Department of Homeland Security (DHS)

Final Rule Stage

U.S. Immigration and Customs Enforcement (USICE)

223. ELECTRONIC SIGNATURE AND STORAGE OF FORM I-9, EMPLOYMENT ELIGIBILITY VERIFICATION

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1324a; 8 CFR 2

Abstract: This interim rule amends Department of Homeland Security (DHS) regulations to provide that employers and recruiters or referrers for a fee required to complete and retain Forms I-9, Employment Eligibility Verification, may sign and retain these forms electronically. This rule implements statutory changes to the

Form I-9 retention requirement that President George W. Bush signed into law on October 30, 2004. In implementing these changes, this rule sets standards for electronic signatures and the electronic retention of the Form I-9.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/15/06	71 FR 34510
Interim Final Rule Effective	06/15/06	

Action	Date	FR Cite
Interim Final Rule Comment Period End	08/14/06	
Final Rule	07/00/09	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Allan Vanscoy, Department of Homeland Security, U.S. Immigration and Customs Enforcement, 500 12th Street SW., Washington, DC 20025
 Phone: 202 732-5798
RIN: 1653-AA47

Department of Homeland Security (DHS)

Proposed Rule Stage

Federal Emergency Management Agency (FEMA)

224. UPDATE OF FEMA'S PUBLIC ASSISTANCE REGULATIONS

Legal Authority: 42 USC 5121-5207

Abstract: This proposed rule would revise the Federal Emergency Management Agency's Public Assistance program regulations. Many of these changes reflect amendments made to the Robert T. Stafford Disaster Relief and Emergency Assistance Act by the Post-Katrina Emergency Management Reform Act of 2006 and the Security and Accountability For Every Port Act of 2006. The proposed rule also proposes a few further

substantive and nonsubstantive clarifications and corrections to the Public Assistance regulations. This proposed rule is intended to improve the efficiency and consistency of the Public Assistance Program, as well as implement new statutory authority by expanding Federal assistance, providing for precautionary evacuations, improving the Project Worksheet process, empowering grantees, and improving State Administrative Plans.

Timetable:

Action	Date	FR Cite
NPRM	08/00/09	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: James A. Walke, Disaster Assistance Directorate, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472
 Phone: 202 646-2751
 Fax: 202 646-3304
 Email: james.walke@dhs.gov

RIN: 1660-AA51

Department of Homeland Security (DHS)
Federal Emergency Management Agency (FEMA)

Completed Actions**225. ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM**

Legal Authority: 15 USC 2229, Federal Fire Prevention and Control Act of 1974, as amended

Abstract: FEMA would update existing guidance on grants made directly to fire departments and non-affiliated emergency medical service (EMS) organizations of a State. The purpose of the grants is to enhance these organizations' ability to protect both the

health and safety of the public and that of firefighting personnel facing fire and fire-related hazards. Grants are also made to eligible organizations and fire departments for the purpose of fire prevention and firefighter safety research activities.

Timetable:

Action	Date	FR Cite
Withdrawn	02/11/09	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Brian Cowan, Director, Assistance to Firefighters Program Office, Department of Homeland Security, Federal Emergency Management Agency, 800 K Street, NW., Washington, DC 20472-3620
 Phone: 866 274-0960
 Fax: 202 786-9938
 Email: firegrants@dhs.gov

RIN: 1660-AA50

[FR Doc. E9-10269 Filed 05-08-09; 8:45 am]

BILLING CODE 9110-9B-S